



AGENDA

CAPITOLA PLANNING COMMISSION

Thursday, May 2, 2019 – 7:00 PM

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

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

B. Public Comments

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

C. Commission Comments

D. Staff Comments

3. PRESENTATION

A. 1855 41st Avenue Capitola Mall Update

4. APPROVAL OF MINUTES

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

B. Planning Commission - Regular Meeting - Apr 4, 2019 7:00 PM

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. 1200 C 41st Avenue

#19-0153

APN: 034-101-38

Conditional Use Permit for on-site alcohol sale and consumption for Sapporo Ramen located within the CC (Community Commercial) zoning district.

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

Environmental Determination: Categorical Exemption

Owner: Stephanie Jenkins

Representative: Gang Hu Liang, Filed: 04.05.19

- B. 3744 Capitola Road #19-0171 APN: 034-181-16**
Sign Permit for a new wall sign for Pono Hawaiian Kitchen and Tap located within the CC (Community Commercial) zoning district.
This project is outside the Coastal Zone.
Environmental Determination: Categorical Exemption
Property Owner: William Lau
Representative: Santa Cruz Signs, Filed: 04.12.19
- C. 115 San Jose Avenue #19-0140 APN: 035-221-19**
Conditional Use Permit for a take-out restaurant (pizzeria) located within the Capitola Mercantile in the C-V (Central Village) zoning district.
This project is in the Coastal Zone and does not require a Coastal Development Permit.
Environmental Determination: Categorical Exemption
Property Owner: Peter Dwares
Representative: Dennis Norton, Filed: 03.28.2019
- D. 115 San Jose Avenue #19-0134 APN: 035-221-18**
Conditional Use Permit for a gaming arcade located within the C-V (Central Village) zoning district.
This project is in the Coastal Zone and does not require a Coastal Development Permit.
Environmental Determination: Categorical Exemption
Property Owner: Peter Dwares
Representative: Dennis Norton, Filed: 03.22.2019
- E. 523 Burlingame Avenue #18-0508 APN: 035-094-34**
Tentative Parcel Map to divide one parcel into three. Two parcels on Burlingame Ave with a Design Permit for a single-family home on each and one driveway width exception request for perpendicular parking in front yard within the R-1 (Single-Family) zoning district. One parcel on Capitola Avenue with a Design Permit and Conditional Use Permit for a fourplex located within the C-N (Neighborhood Commercial) zoning district.
This project is in the Coastal Zone and requires Coastal Development Permits which are not appealable to the California Coastal Commission after all possible appeals are exhausted through the City.
Environmental Determination: Categorical Exemption
Property Owner: Matthew Howard and John Howard
Representative: Daniel Gomez, Fuse Architecture, Filed: 09.20.2018

6. DIRECTOR'S REPORT**7. COMMISSION COMMUNICATIONS****8. ADJOURNMENT**

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

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

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

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

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

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

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



STAFF REPORT

TO: PLANNING COMMISSION
FROM: COMMUNITY DEVELOPMENT
DATE: MAY 2, 2019
SUBJECT: **1855 41st Avenue Capitola Mall Update**

BACKGROUND:

In 2016, Merlone Geier Partners purchased the Capitola Mall. The original purchase included the mall core, the Kohl's building, and the majority of the surrounding parking lots. In January of 2018, Merlone Geier Partners hosted a community meeting to discuss the future of the mall with Capitola residents. Following the community meeting, Merlone Geier initiated a public survey to capture the community's long-term vision for the Capitola Mall.

In 2018, Merlone Geier acquired the Sears building and the company's ownership of the mall property increased from 45 percent to 68 percent of the land area. The mall property contains 46 acres of land, 31 of which are owned by Merlone Geier. Acquiring the additional site created new opportunities for the mall owner in terms of redevelopment.

PRESENTATION:

Stephen Logan, Vice President of Development for Merlone Geier Partners, will present an update on the Capitola Mall and future redevelopment efforts.

On June 11, 2019, Merlone Geier Partners will host a second community meeting in the Sears Building at 4015 Capitola Road at 6 pm.

Prepared By: Katie Herlihy
Community Development Director



**DRAFT MINUTES
CAPITOLA PLANNING COMMISSION MEETING
THURSDAY, MARCH 7, 2019
7 P.M. – CAPITOLA CITY COUNCIL CHAMBERS**

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Commissioners Ed Newman, Mick Routh, Peter Wilk, and Chair TJ Welch were present. Commissioner Christiansen was absent.

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

Director Herlihy clarified that the Committee must continue item 5.A to the next regular meeting, due to Commissioner Christiansen’s absence and the subsequent lack of a quorum of non-conflicted Commissioners.

B. Public Comments – none

C. Commission Comments – none

D. Staff Comments – none

3. APPROVAL OF MINUTES

A. Planning Commission - Special Meeting - Feb 7, 2019 6:30 PM

B. Planning Commission - Regular Meeting - Feb 7, 2019 7:00 PM

MOTION: Approve the minutes from the special and regular meetings of the Planning Commission on February 7, 2019.

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

4. CONSENT CALENDAR

A. 510 El Salto Drive #19-0017 APN: 036-125-16

Request for a one-year extension of a previously approved Design Permit for a single-story addition and Variance request to the on-site parking requirement for an existing home in the R-1 (Single-Family Residential) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: John McEnergy III

Representative: Derek Van Alstine, Filed: 01/16/2019

MOTION: Approve one-year extension of previously approved Design Permit, Variance request, and Coastal Development Permit, with the following conditions and findings.

CONDITIONS:

Minutes Acceptance: Minutes of Mar 7, 2019 7:00 PM (Approval of Minutes)

1. The project approval consists of construction of a 700-square-foot addition to an existing single-family home and approval of a variance to the on-site parking requirements. The maximum Floor Area Ratio for the 7,528-square-foot property is 48% (3,613 square feet). The total FAR of the project is 32% with a total of 2,411 square feet, compliant with the maximum FAR within the zone. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on December 3, 2015, except as modified through conditions imposed by the Planning Commission during the hearing.
2. The December 3, 2015, design permit and variance were granted a one-year extension on January 18, 2018. The design permit and variance were extended through January 18, 2019.
3. The December 3, 2015, design permit and variance were granted a second one-year extension on March 7, 2019. The design permit and variance will remain valid through March 7, 2020.
4. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans
5. At time of submittal for building permit review, the building plans must show that the existing overhead utility lines will be underground to the nearest utility pole.
6. The applicant is required to provide one additional 9' by 20' parking space on-site in addition to the existing two covered garage spaces (§17.15.130).
7. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
8. At the time of submittal for building permit review, Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP) shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP).
9. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
10. Prior to issuance of building permit, a final landscape plan shall be submitted and approved by the Community Development Department. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of irrigation systems.
11. Prior to issuance of building permit, all Planning fees associated with permit # 15-174 shall be paid in full.
12. Prior to issuance of building permit, Affordable housing in-lieu fees shall be paid as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance.

13. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Creek Water District, and Central Fire Protection District.
14. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
15. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
16. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan. Erosion and sediment control shall be installed prior to the commencement of construction and maintained throughout the duration of the construction project.
17. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
18. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
19. Prior to a project final, all cracked or broken driveway approaches, curb, gutter, or sidewalk shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.
20. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
21. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
22. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.

23. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.

FINDINGS:

- A. A substantial change of circumstances has not occurred since Planning Commission approval of the permit on December 3, 2015. A one-year extension of the permit would not be detrimental to the purpose of the certified local coastal program and zoning ordinance.**

The Planning Commission finds that there have been no relevant substantial changes of circumstances, regulations, or planning policies since approval of the permit on December 3, 2015. Therefore, a one-year extension (to March 7, 2020) of said permit is appropriate.

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

The proposed addition at 510 El Salto will conform to the development standards of the Zoning Ordinance with addition of one on-site parking as conditioned.

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

The proposed addition will maintain the existing single-family character and integrity of the Depot Hill neighborhood, as conditioned. The proposed materials within the addition blend seamlessly into the existing home.

- D. This project is categorically exempt under Section 15301-E of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.**

This project involves the addition to an existing single-family residence in the R-1 (Single-Family Residential) Zoning District. Section 15301-E of the CEQA Guidelines exempts additions to existing homes in a residential zone.

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

The existing hedge located in the public right-of-way is considered to be a character-defining feature of the property and a significant asset to the neighborhood. The hedge is viewed as a special circumstance applicable to the topography and use of the subject property. The location of the existing hedge constitutes a special circumstance and makes it difficult to locate two off-street parking spaces; therefore, a variance is approved to preserve the hedge.

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

The grant of a variance permit would not constitute the grant of a special privilege. Many of the adjacent properties in the Depot Hill neighborhood use this same right-of-way area for parking and other miscellaneous property improvements. In addition, the city has no plans to install sidewalks or any other improvements in this ten-foot wide public right-of-way area. The existing character-defining hedge constitutes a special circumstance prohibiting the applicant from meeting parking requirements on site.

COASTAL FINDINGS:

D. Findings Required. A coastal permit shall be granted only upon adoption of specific written factual findings supporting the conclusion that the proposed development conforms to the certified Local Coastal Program, including, but not limited to:

- The proposed development conforms to the City's certified Local Coastal Plan (LCP). The specific, factual findings, as per CMC Section 17.46.090 (D) are as follows:

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

(D) (2) (a) Project Effects on Demand for Access and Recreation. Identification of existing and open public access and coastal recreation areas and facilities in the regional and local vicinity of the development. Analysis of the project's effects upon existing public access and recreation opportunities. Analysis of the project's cumulative effects upon the use and capacity of the identified access and recreation opportunities, including public tidelands and beach resources, and upon the capacity of major coastal roads from subdivision, intensification or cumulative build-out. Projection for the anticipated demand and need for increased coastal access and recreation opportunities for the public. Analysis of the contribution of the project's cumulative effects to any such projected increase. Description of the physical characteristics of the site and its proximity to the sea, tideland viewing points, upland recreation areas, and trail linkages to tidelands or recreation areas. Analysis of the importance and potential of the site, because of its location or other characteristics, for creating, preserving or enhancing public access to tidelands or public recreation opportunities;

- The proposed project is located at 510 El Salto Dr. The home is not located in an area with coastal access. The home will not have an effect on public trails or beach access.

(D) (2) (b) Shoreline Processes. Description of the existing shoreline conditions, including beach profile, accessibility and usability of the beach, history of erosion or accretion, character and sources of sand, wave and sand movement, presence of shoreline protective structures, location of the line of mean high tide during the season when the beach is at its narrowest (generally during the late winter) and the proximity of that line to existing structures, and any other factors which substantially characterize or affect the shoreline processes at the site. Identification of anticipated changes to shoreline processes at the site. Identification of anticipated changes to shoreline processes and beach profile unrelated to the proposed development. Description and analysis of any reasonably likely changes, attributable to the primary and cumulative effects of the project, to: wave and sand movement affecting beaches in the vicinity of the project; the profile of the beach; the character, extent, accessibility and usability of the beach; and any other factors which characterize or affect beaches in the vicinity. Analysis of the effect of any identified changes of the project, alone or in combination with other anticipated changes, will have upon the ability of the public to use public tidelands and shoreline recreation areas;

- The proposed project is located along El Salto Dr. No portion of the project is located along the shoreline or beach.

(D) (2) (c) Historic Public Use. Evidence of use of the site by members of the general public for a continuous five-year period (such use may be seasonal). Evidence of the type and character of use made by the public (vertical, lateral, blufftop, etc., and for passive and/or active recreational use, etc.). Identification of any agency (or person) who has maintained and/or improved the area subject to historic public use and the nature of the maintenance performed and improvements made. Identification of the record owner of the area historically used by the public and any attempts by the owner to prohibit public use of the area, including the success or failure of those attempts. Description of the potential for adverse impact on public use of the area from the proposed development (including but not limited to, creation of physical or psychological impediments to public use);

- There is not history of public use on the subject lot.

(D) (2) (d) Physical Obstructions. Description of any physical aspects of the development which block or impede the ability of the public to get to or along the tidelands, public recreation areas, or other public coastal resources or to see the shoreline;

- The proposed project is located on private property on El Salto Dr. The project will not block or impede the ability of the public to get to or along the tidelands, public recreation areas, or views to the shoreline.

(D) (2) (e) Other Adverse Impacts on Access and Recreation. Description of the development's physical proximity and relationship to the shoreline and any public recreation area. Analysis of the extent of which buildings, walls, signs, streets or other aspects of the development, individually or cumulatively, are likely to diminish the public's use of tidelands or lands committed to public recreation. Description of any alteration of the aesthetic, visual or recreational value of public use areas, and of any diminution of the quality or amount of recreational use of public lands which may be attributable to the individual or cumulative effects of the development.

- The proposed project is located on private property that will not impact access and recreation. The project does not diminish the public's use of tidelands or lands committed to public recreation nor alter the aesthetic, visual or recreational value of public use areas.

(D) (3) (a – c) Required Findings for Public Access Exceptions. Any determination that one of the exceptions of subsection (F) (2) applies to a development shall be supported by written findings of fact, analysis and conclusions which address all of the following:

- a. The type of access potentially applicable to the site involved (vertical, lateral, bluff top, etc.) and its location in relation to the fragile coastal resource to be protected, the agricultural use, the public safety concern, or the military facility which is the basis for the exception, as applicable;***
- b. Unavailability of any mitigating measures to manage the type, character, intensity, hours, season or location of such use so that agricultural resources, fragile coastal resources, public safety, or military security, as applicable, are protected;***
- c. Ability of the public, through another reasonable means, to reach the same area of public tidelands as would be made accessible by an access way on the subject land.***

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

(D) (4) (a – f) Findings for Management Plan Conditions. Written findings in support of a condition requiring a management plan for regulating the time and manner or character of public access use must address the following factors, as applicable:

a. Identification and protection of specific habitat values including the reasons supporting the conclusions that such values must be protected by limiting the hours, seasons, or character of public use;

- The project is located on a residential lot.

b. Topographic constraints of the development site;

- The project is located on a relatively flat lot.

c. Recreational needs of the public;

- The project does not impact recreational needs of the public.

d. Rights of privacy of the landowner which could not be mitigated by setting the project back from the access way or otherwise conditioning the development;

e. The requirements of the possible accepting agency, if an offer of dedication is the mechanism for securing public access;

f. Feasibility of adequate setbacks, fencing, landscaping, and other methods as part of a management plan to regulate public use.

(D) (5) Project complies with public access requirements, including submittal of appropriate legal documents to ensure the right of public access whenever, and as, required by the certified land use plan and Section 17.46.010 (coastal access requirements);

- No legal documents to ensure public access rights are required for the proposed project.

(D) (6) Project complies with visitor-serving and recreational use policies;

SEC. 30222

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

- The project involves a single-family home on a residential lot of record.

SEC. 30223

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

- The project involves a single-family home on a residential lot of record.

c) Visitor-serving facilities that cannot be feasibly located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

- The project involves a single-family home on a residential lot of record.

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

- The project involves the construction of a single-family home. The project complies with applicable standards and requirements for provision for parking, pedestrian access, alternate means of transportation and/or traffic improvements.

(D) (8) Review of project design, site plan, signing, lighting, landscaping, etc., by the city's architectural and site review committee, and compliance with adopted design guidelines and standards, and review committee recommendations;

- The project complies with the design guidelines and standards established by the Municipal Code.

(D) (9) Project complies with LCP policies regarding protection of public landmarks, protection or provision of public views; and shall not block or detract from public views to and along Capitola's shoreline;

- The project will not negatively impact public landmarks and/or public views. The project will not block or detract from public views to and along Capitola's shoreline.

(D) (10) Demonstrated availability and adequacy of water and sewer services;

- The project is located on a legal lot of record with available water and sewer services.

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

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

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

- The project is for a single-family home. The GHG emissions for the project are projected at less than significant impact. All water fixtures must comply with the low-flow standards of the soquel creek water district.

(D) (13) Provision of park dedication, school impact, and other fees as may be required;

- The project will be required to pay appropriate fees prior to building permit issuance.

(D) (14) Project complies with coastal housing policies, and applicable ordinances including condominium conversion and mobile home ordinances;

- The project does not involve a condo conversion or mobile homes.

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

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

(D) (16) Project complies with Monarch butterfly habitat protection policies;

- The project is outside of any identified sensitive habitats, specifically areas where Monarch Butterflies have been encountered, identified and documented.

(D) (17) Project provides drainage and erosion and control measures to protect marine, stream, and wetland water quality from urban runoff and erosion;

- Conditions of approval have been included to ensure compliance with applicable erosion control measures.

(D) (18) Geologic/engineering reports have been prepared by qualified professional for projects in seismic areas, geologically unstable areas, or coastal bluffs, and project complies with hazard protection policies including provision of appropriate setbacks and mitigation measures;

- Geologic/engineering reports have been prepared by qualified professionals for this project. Conditions of approval have been included to ensure the project applicant shall comply with all applicable requirements of the most recent version of the California Building Standards Code.

(D) (19) All other geological, flood and fire hazards are accounted for and mitigated in the project design;

- Conditions of approval have been included to ensure the project complies with geological, flood, and fire hazards and are accounted for and will be mitigated in the project design.

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

- The proposed project complies with shoreline structure policies.

(D) (21) The uses proposed are consistent with the permitted or conditional uses of the zoning district in which the project is located;

- This use is a principally permitted use consistent with the Single-Family zoning district.

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

- The project conforms to the requirements of all city ordinances, zoning requirements and project development review and development procedures with the approved variance.

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

- The project site is not located within the area of the Capitola parking permit program.

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

5. PUBLIC HEARINGS

A. 401 Capitola Avenue #19-0031 APN: 035-121-11

Conditional Use Permit for a take-out restaurant located within the CN (Neighborhood Commercial) zoning district.
 This project is in the Coastal Zone but does not require a Coastal Development Permit.
 Environmental Determination: Categorical Exemption
 Property Owner: Amy Cheng
 Representative: Amy Cheng, Filed: 01.23.2019

MOTION: Continue the item to the next regular meeting of the Planning Commission on April 4, 2019 due to a lack of quorum of non-conflicted Commissioners.

RESULT:	CONTINUED	Next: 4/4/2019 7:00 PM
MOVER:	Peter Wilk	
SECONDER:	Mick Routh	
AYES:	Routh, Welch, Wilk	
ABSTAINED:	Newman	

B. Update to Zoning Ordinance/ LCP Implementation Plan

Comprehensive Update to the City of Capitola Zoning Code/Local Coastal Plan Implementation Plan and updated Zoning Map and subsequent maps relative to the Zoning Code.
 The Zoning Code serves as the Implementation Plan of the City’s Local Coastal Program and therefore must be certified by the Coastal Commission.
 Environmental Determination: Addendum to the General Plan Update EIR
 Property: The Zoning Code update affects all properties within the City of Capitola.
 Representative: Katie Herlihy, Community Development Director, City of Capitola

Director Herlihy explained specific Coastal Commission recommended edits to the Zoning Ordinance. Planning Commission provided direction on which edits to allow and which to deny, and how to then work toward a suitable compromise.

Director Herlihy also presented on new Accessory Dwelling Unit requirements and how Capitola’s code must change to be compliant with California State Code.

Chair Welch asked that special consideration be shown for the public, as many of the Coastal Commission’s recommended changes to Capitola’s code will have direct impact upon City residents. Director Herlihy assured the Planning Commission that Capitola City Council’s discussion and review of the Zoning Ordinance Update will be noticed appropriately, and that further outreach may also be done.

The Planning Commission provided the following direction on the zoning code update during the meeting:

Minutes Acceptance: Minutes of Mar 7, 2019 7:00 PM (Approval of Minutes)

Section	Page	Planning Commission Direction
17.04.040.B.1	Page 04-02	Add B.1: <u>The Local Coastal Program LUP is a comprehensive long-term plan for land use and physical development within the City's coastal zones. It consists of proposed policies and recommendations for land use in the coastal zone consistent with the Coastal Act. It includes the Coastal Land Use Plan Map, which is the certified General Plan Land Use Map for the area within the coastal zone.</u>
17.04.040.B.1.b (changed to 17.04.040.C.1.b)	Page 04-02	1) Remove Chapter 17.112 Permit Application and Review from the IP (04-2)
17.12.020.A	Page 12-1	A. Base Zoning Districts. Capitola is divided into zoning districts that implement the General Plan Land Use Map as shown in Table 17.12-1. <u>Within the coastal zone, the General Plan Land Use Map is the certified Coastal Land Use Plan Map.</u>
17.16.030.B	16-5	Remove exception for Cliffwood Heights
Table 17.24-3	24-5	Remove maximum density limits from CC/CR districts.
Figure 17.28-1 and Table 17.28.020	28-1 through 28-5	Remove VS-NB.
17.28.030.E.1 and 2	28-6	Keep new lighting edits added by Coastal Commission.
17.28.030.C.5 moved to 17.28030.F	28-6	This should be a subparagraph. Will move to Subparagraph F.
17.32.020.D.3	32-2	Amend as follows: The Coastal Commission revised the language to be more broad allowing "appropriate public facilities (e.g. the flume and jetties), required shoreline protective structures (<u>approved beach erosion control structures</u>), and structures required for public health and safety (e.g. lifeguard stands) if otherwise consistent with the Local Coastal Program.
17.36.040.B	36-1	Remove CC edit adding "or the Local Coastal Program in the coastal zone".
17.36.080.G.7	36-5	Amend to: For planned developments <u>located adjacent to the coast</u> , the proposed development will protect and/or enhance coastal resources and conform with the findings for approval of a CDP as specified in 17.44.130 (Finding for Approval).
17.44.010	44-1	Amend to: The purpose of this chapter is to establish review and permit procedures for the implementation of Capitola's Local Coastal Program. <u>This chapter, and to ensures</u> that all private and public development within the City's coastal zone as depicted by the (CZ) coastal overlay zone is consistent with the City's certified Local Coastal Program Land Use Plan and Implementation Program which together constitute the City's certified Local Coastal Program (LCP) <u>and: including:</u>
17.44.010.B	44-2	Amend to: "In achieving these purposes, this chapter shall be consistent with the goals, objectives and policies of the California Coastal Act and Article X, Section 4, of the California Constitution."
17.44.020.B	44-2	Amend to: B. Implementation Plan. The Implementation Plan (IP) first certified in January 1990, consists of the Zoning Code (Title 17) chapters and Municipal Code Chapters as identified in Section 17.04.040 (Relationship to the Local Coastal Program) as well as the zoning districts and maps.
17.44.030.J	44-4	Keep California endangered species

17.44.060	44-6	Remove both sentences.
17.44.070.B.1	44-7.	Keep draft language for Community Development Director review of administrative permits.
17.44.070.D.	44-7/8	Under review by Legal.
17.44.110	44-16	Section 17.44.110 will be limited to the first paragraph as follows: 17.44.110 Application Submittal. A. Coastal Development Permit applications shall include all the information and materials required by the Community Development Department together with all required application fees. It is the responsibility of the applicant to provide all necessary and requested evidence to allow the review authority to make a decision regarding whether the proposed development is consistent with the LCP, including the respect to the findings required by Section 17.44.130 (Finding for Approval).
17.44.120	44-17	Mirror the language for public notice that exists in Chapter 17.148 for noticing.
17.48.040.B.6	48-5	Revise the FAR exception to allow up to 250 square-feet of an enclosed garage on a lot of 2,586 square-feet or less and allow lots between 2,586 and 3,018 square-feet with an enclosed garage to have a garage area exception of the difference between their maximum floor area and 1,750 square feet to adequately incentivize garages on small lots while removing the inequitable advantage. 1750 sq. ft. – (maximum floor area for lot size) = area of garage exclusion
17.56.020.A1	56-1	Deleted 17.56.020.A.1 due to the map being extremely broad and would require an excessive amount of studies.
17.060.030.C1	60-3	17.060.030 C1 - keep standard that lattice is at least 50% transparent.
17.72.060.A.	72-5	Delete the second sentence of the Coastal Commission edit, as follows: Plant Selection along the Blufftop, Beach, or ESHA. Native plants adapted to local climate shall be required within 50 feet of the blufftop edge, the beach or ESHA. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Invasive Plant Council, or as may be so identified from time to time by the State of California and no plant species listed as "noxious weed" by the State of California or the U.S. Federal Government, is allowed. See Chapter 17.64 (Environmentally Sensitive Habitat Areas) for habitat requirements.
17.74.040.H	74-4	Specify that the maximum floor area of 0.60 is only applicable to lots greater than 4,000 square feet in size. Also, update Table 17.16-3 in the R-1 zone to clarify.
17.74.040.H	74-4	Specify that conversion to ADU can be in conjunction with addition up to 0.60 FAR.
17.76-1	76-3	Leave footnote as "The Parking Demand Study shall be paid for by the applicant contracted by the CityLumber2489! , and approved by the Planning Commission. In the coastal zone, in all cases, hotel development shall provide adequate parking."
17.76.030.D	76-6	Allow up to 125 square feet of ancillary space within a garage that is not calculated toward the onsite parking requirement.

17.76.040.C.3	76-8	Reintroduce standard A and discuss with City Council 3. MU-V Zoning District. Required parking spaces for new nonresidential development and intensified uses in the MU-V zoning district shall be provided on sites outside of the Village area. These spaces shall be within walking distance of the use which it serves or at remote sites served by a shuttle system. The planning commission may approve exceptions to allow on-site parking in the MU-V district for: <u>a. Non-historic structures in residential areas bounding the central commercial district of the village; and</u> b. The Capitola Theater site (APN 035-262-04) and Mercantile site (APN 035-221-17) if driveway cuts are minimized to the extent possible and parking areas are located on the interior of the sites; and c. If mandated under Federal Emergency Management Agency regulations and as consistent with the certified local coastal program.
17.80.060.U	80-7	Reword as follows " <u>sign affecting public property</u> (e.g. 'tenant parking only') not placed there by the public entity having the possessory interest in such property.
17.84.070.(I)(7)	84-6	"coastal zone" - no caps
17.84.070.(I)(6)	84-6	Keep finding I.6 as drafted "The proposed project is consistent with the General Plan, the Local Coastal Program including the required geologic hazards setback, any applicable Specific Plan, the Zoning Code, and the California Environmental Quality Act (CEQA).
17.84.080(F)(5)	84-8	Amend so F5 is not be an alternative basis for approval, but a universal requirement. Restructure section F so that the review authority must find one of 1-4 plus 5.
17.84.080.F.	84-7	Findings for Approval. To approve a Historic Resource Demolition Permit (<u>and associated Coastal Development Permit if in the coastal zone</u>), the review authority shall make one or more of the following findings.
17.96.	96-1	Reinsert standard from previous zoning code: 17.81.040.E. Rules Governing Open space which was not carried over to new code, as follows "In the Soquel Creek area within the city limits, the following shall apply: All bulkheads shall be constructed in a rustic manner and finished in wood. All handrails on decks shall not exceed forty-two inches in height, nor shall the space between the deck and the handrails be filled in creating a solid appearance. Only two freestanding lights shall be allowed for each deck and to a maximum height of eight feet.
17.120.040.C.6	120-3	Reword to: "Story poles shall only be required upon request of <u>by the Planning Commission or City Council.</u> "
17.128.090(A)and (B)	128-3	Staff suggest rewording to " <u>and, when appealed in the coastal zone in conjunction with a coastal development permit</u> , as described in Chapter 17.44 (Coastal Overlay Zone).
D.9	160-5	Redefine development to: "Development" means any proposed change to the land or structure that requires a permit or approval from the City including construction, rehabilitation, and reconstruction. See section 17.44.030 for the definition of "Development" that applies in the coastal zone.
P.1	160-11	No change to the definition of "Parcel". Lot and parcel are synonymous as the code now provides. See, e.g., 16.08.082, 16.08.110.
17.48.030.F	Page 48-5	Add "This provision does not include temporary encroachment permits, which are handled administratively through the Public Works Department"

MOTION: Provide a positive recommendation to the City Council to review the draft update incorporating the direction provided by the Planning Commission in both tonight's meeting and the special meeting of February 21, 2019.

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

6. DIRECTOR'S REPORT

7. COMMISSION COMMUNICATIONS

8. ADJOURNMENT

The meeting was adjourned to the next regular meeting of the planning commission on April 4, 2019.

Approved by the Planning Commission at the regular meeting of May 2, 2019.

Chloé Woodmansee, Clerk to the Commission



**DRAFT MINUTES
CAPITOLA PLANNING COMMISSION MEETING
THURSDAY, APRIL 4, 2019
7 P.M. – CAPITOLA CITY COUNCIL CHAMBERS**

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Commissioners Courtney Christiansen, Ed Newman, Mick Routh, Peter Wilk, and Chair TJ Welch were present.

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda – none

B. Public Comments – none

C. Commission Comments – none

D. Staff Comments

Community Director Herlihy introduced Assistant Planner Sean Sesanto, whom the City of Capitola hired from within the previous open recruitment. Before being hired as Assistant Planner, Mr. Sesanto interned for the City's planning department.

3. APPROVAL OF MINUTES

A. Planning Commission - Special Meeting - Feb 21, 2019 6:00 PM

MOTION: Approve the minutes from the special meeting of the Planning Commission on February 21, 2019.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Peter Wilk, Commissioner
SECONDER:	Edward Newman, Commissioner
AYES:	Newman, Welch, Wilk, Routh, Christiansen

4. CONSENT CALENDAR

A. 105 Sacramento Avenue #19-0079 APN: 036-144-05

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

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

Environmental Determination: Categorical Exemption

Property Owner: Lani Holdener

Representative: Lani Holdener, Filed: 02.20.2019

Commissioner Wilk pulled this item from the Consent Calendar and it was heard prior to item 5.A.

Minutes Acceptance: Minutes of Apr 4, 2019 7:00 PM (Approval of Minutes)

Assistant Planner Matt Orbach presented a brief staff report. Director Herlihy explained that she had visited 105 Sacramento prior to the meeting in response to emails alleging that illegal removal of asbestos was taking place at the site. Director Herlihy instead saw that an interior faux-stone wall had been removed and she told the site contractor the process of obtaining demolition permits. Director Herlihy reported that no asbestos has been removed.

Commissioner Routh asked if the alleged loss of cliff was relevant to the application, to which Director Herlihy said no, because the original design took this into account with setbacks beyond the requirement.

Don Sanguinetti, contractor, confirmed that only simple interior maintenance work has taken place.

MOTION: Approve a one-year extension for previously approved Design Permit, Variance request, and Coastal Development Permit with the following conditions and findings.

CONDITIONS:

1. The project approval is for the construction of a new, two-story single-family home at 105 Sacramento Avenue. The project consists of construction of a 2,582 square foot two-story residence, with a 524 square foot attached secondary dwelling unit on the first floor, and a 251 square foot detached garage. The maximum Floor Area Ratio for the 7,653 square foot property is 60% (4,592 square feet) since a secondary dwelling unit is included. The total FAR of the project is 43% with a total of 3,357 square feet of floor area, compliant with the maximum FAR within the zone. The project includes approval of a variance to detached garage setbacks and to the two-foot landscape strip requirement next to the driveway within the front setback. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on April 6th, 2017, except as modified through conditions imposed by the Planning Commission during the hearing.
2. On April 4, 2019, a one-year extension of permit #16-133 for a design permit and variance was granted. The design permit and variance will remain valid through April 4, 2020.
3. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans.
4. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
5. At the time of submittal for building permit review, Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP) shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP).
6. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
7. Prior to issuance of building permit, a final landscape plan and tree preservation plan prepared by a certified arborist shall be submitted and approved by the Community Development Department. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of irrigation systems, if proposed. Native and/or drought tolerant species are recommended.
8. Prior to issuance of building permit, all Planning fees associated with permit #16-133 shall be paid in full.

9. Affordable Housing in-lieu fees shall be paid prior to issuance of building permit, in accordance with chapter 18.02 of the Capitola Municipal Code.
10. Prior to issuance of building permits, the building plans must show that the existing overhead utility lines will be underground to the nearest utility pole.
11. A certified arborist must be present on-site during any tree trimming or removal work done on the cypress trees. The arborist shall also be present during any root mapping for the new foundation.
12. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Creek Water District, and Central Fire Protection District.
13. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
14. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
15. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
16. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
17. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
18. Prior to a project final, all cracked or broken driveway approaches or street edge shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches shall meet current Accessibility Standards.
19. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
20. This permit shall expire 12 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
21. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
22. Upon receipt of certificate of occupancy, garbage and recycling containers shall be shielded and placed out of public view on non-collection days.

23. The floor area for secondary dwelling units shall not exceed 524 square feet as approved by the Planning Commission.
24. At time of submittal for building permit review, a water letter for the second dwelling unit must be submitted.
25. Before obtaining a building permit for a secondary dwelling unit, the property owner shall file with the county recorder a declaration of restrictions containing a reference to the deed under which the property was acquired by the present owner and stating that:
 - a. The secondary dwelling unit shall not be sold separately;
 - b. The unit is restricted to the approved size;
 - c. The secondary dwelling unit shall be in effect only so long as the owner of record occupies either the main residence or the secondary dwelling unit;
 - d. The above declarations are binding upon any successor in ownership of the property. Lack of compliance shall be cause for code enforcement and/or revoking the administrative review or the architecture and site review permit, whichever applies;
 - e. The deed restrictions shall lapse upon removal of the secondary dwelling unit.

FINDINGS:

- A. **There has been no relevant substantial change of circumstances, regulations or planning policies.**
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission finds that there have been no relevant substantial changes of circumstances, regulations, or planning policies since the approval of the permit on April 6, 2017.
- B. **The application, subject to the conditions imposed, secures the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project, with the conditions imposed, secures the purpose of the Zoning Ordinance, General Plan, and Local Coastal Plan.
- C. **The application will maintain the character and integrity of the neighborhood.**
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the application for a new two-story residence. The new home, with the conditions imposed, will maintain the character and integrity of the neighborhood.
- D. **This project is categorically exempt under Section 15303 of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.**
Section 15303(a) of the CEQA Guidelines exempts the construction of one single-family residence or secondary dwelling unit in a residential zone. This project involves the construction of a new, two-story single-family residence and attached secondary dwelling unit on a property in the R-1 (Single-Family Residential) Zoning District. No adverse environmental impacts were discovered during review of the proposed project.
- E. **Special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, exist on the site and the strict application of this title is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification;**
The special circumstances applicable to the property is that the subject property is a flag-lot, is within the GH (Geologic Hazard) overlay zone which requires expanded setbacks from coastal bluffs and has large cypress trees which the owner would like to preserve. Due to the location of the existing trees, the applicant proposed the garage and parking spaces within the access portion of the flag-lot. Most the access way is located within the required front yard setback. Due to the special circumstances associated with the flag-lot configuration, geologic setbacks, and trees, there is no alternative location for the garage and parking while also meeting setback

requirements. The property cannot fit two feet of landscaping in between the neighboring property lines and access way. Most properties in the neighborhood are not located on a flag-lot and thus have more room to accommodate landscape strips. A variance has been granted to reduce setbacks associated with a detached garage and to waive the two-foot landscape strip requirement for parking within the front setback.

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

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

COASTAL FINDINGS:

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

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

D. Findings Required. A coastal permit shall be granted only upon adoption of specific written factual findings supporting the conclusion that the proposed development conforms to the certified Local Coastal Program, including, but not limited to:

- A. The proposed development conforms to the City's certified Local Coastal Plan (LCP). The specific, factual findings, as per CMC Section 17.46.090 (D) are as follows:

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

(D) (2) (a) Project Effects on Demand for Access and Recreation. Identification of existing and open public access and coastal recreation areas and facilities in the regional and local vicinity of the development. Analysis of the project's effects upon existing public access and recreation opportunities. Analysis of the project's cumulative effects upon the use and capacity of the identified access and recreation opportunities, including public tidelands and beach resources, and upon the capacity of major coastal roads from subdivision, intensification or cumulative build-out. Projection for the anticipated demand and need for increased coastal access and recreation opportunities for the public. Analysis of the contribution of the project's cumulative effects to any such projected increase. Description of the physical characteristics of the site and its proximity to the sea, tideland viewing points, upland recreation areas, and trail linkages to tidelands or recreation areas. Analysis of the importance and potential of the site, because of its location or other characteristics, for creating, preserving or enhancing public access to

tidelands or public recreation opportunities;

- B. The proposed project is located at 105 Sacramento Avenue. The home is not located in an area with coastal access. The home will not have an effect on public trails or beach access.

(D) (2) (b) Shoreline Processes. Description of the existing shoreline conditions, including beach profile, accessibility and usability of the beach, history of erosion or accretion, character and sources of sand, wave and sand movement, presence of shoreline protective structures, location of the line of mean high tide during the season when the beach is at its narrowest (generally during the late winter) and the proximity of that line to existing structures, and any other factors which substantially characterize or affect the shoreline processes at the site. Identification of anticipated changes to shoreline processes and beach profile unrelated to the proposed development. Description and analysis of any reasonably likely changes, attributable to the primary and cumulative effects of the project, to: wave and sand movement affecting beaches in the vicinity of the project; the profile of the beach; the character, extent, accessibility and usability of the beach; and any other factors which characterize or affect beaches in the vicinity. Analysis of the effect of any identified changes of the project, alone or in combination with other anticipated changes, will have upon the ability of the public to use public tidelands and shoreline recreation areas;

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

(D) (2) (c) Historic Public Use. Evidence of use of the site by members of the general public for a continuous five-year period (such use may be seasonal). Evidence of the type and character of use made by the public (vertical, lateral, blufftop, etc., and for passive and/or active recreational use, etc.). Identification of any agency (or person) who has maintained and/or improved the area subject to historic public use and the nature of the maintenance performed and improvements made. Identification of the record owner of the area historically used by the public and any attempts by the owner to prohibit public use of the area, including the success or failure of those attempts. Description of the potential for adverse impact on public use of the area from the proposed development (including but not limited to, creation of physical or psychological impediments to public use);

- D. There is not history of public use on the subject lot.

(D) (2) (d) Physical Obstructions. Description of any physical aspects of the development which block or impede the ability of the public to get to or along the tidelands, public recreation areas, or other public coastal resources or to see the shoreline;

- E. The proposed project is located on private property on Sacramento Avenue. The project will not block or impede the ability of the public to get to or along the tidelands, public recreation areas, or views to the shoreline.

(D) (2) (e) Other Adverse Impacts on Access and Recreation. Description of the development's physical proximity and relationship to the shoreline and any public recreation area. Analysis of the extent of which buildings, walls, signs, streets or other aspects of the development, individually or cumulatively, are likely to diminish the public's use of tidelands or lands committed to public recreation. Description of any alteration of the aesthetic, visual or recreational value of public use areas, and of any diminution of the quality or amount of recreational use of public lands which may be attributable to the individual or cumulative effects of the development.

- F. The proposed project is located on private property that will not impact access and recreation to the sea. The project does not diminish the public's use of tidelands or lands committed to public recreation nor alter the aesthetic, visual or recreational value of public use areas. The applicant will maintain a 50-year bluff recession setback from the cliff.

(D) (3) (a – c) Required Findings for Public Access Exceptions. Any determination that one of the exceptions of subsection (F) (2) applies to a development shall be supported by written findings of fact, analysis and conclusions which address all of the following:

a. The type of access potentially applicable to the site involved (vertical, lateral, bluff top, etc.) and its location in relation to the fragile coastal resource to be protected, the agricultural use, the public safety concern, or the military facility which is the basis for the exception, as applicable;

b. Unavailability of any mitigating measures to manage the type, character, intensity, hours, season or location of such use so that agricultural resources, fragile coastal resources, public safety, or military security, as applicable, are protected;

c. Ability of the public, through another reasonable means, to reach the same area of public tidelands as would be made accessible by an access way on the subject land.

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

(D) (4) (a – f) Findings for Management Plan Conditions. Written findings in support of a condition requiring a management plan for regulating the time and manner or character of public access use must address the following factors, as applicable:

a. Identification and protection of specific habitat values including the reasons supporting the conclusions that such values must be protected by limiting the hours, seasons, or character of public use;

- H. The project is located on a residential lot.

b. Topographic constraints of the development site;

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

c. Recreational needs of the public;

- J. The project does not impact recreational needs of the public.

d. Rights of privacy of the landowner which could not be mitigated by setting the project back from the access way or otherwise conditioning the development;

e. The requirements of the possible accepting agency, if an offer of dedication is the mechanism for securing public access;

f. Feasibility of adequate setbacks, fencing, landscaping, and other methods as part of a management plan to regulate public use.

(D) (5) Project complies with public access requirements, including submittal of appropriate legal documents to ensure the right of public access whenever, and as, required by the certified land use plan and Section 17.46.010 (coastal access requirements);

K. No legal documents to ensure public access rights are required for the proposed project.

(D) (6) Project complies with visitor-serving and recreational use policies;

SEC. 30222

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

L. The project involves a single family home and attached secondary dwelling unit on a residential lot of record.

SEC. 30223

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

M. The project involves a single family home and attached secondary dwelling unit on a residential lot of record.

c) Visitor-serving facilities that cannot be feasibly located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

N. The project involves a single family home and attached secondary dwelling unit on a residential lot of record.

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

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

(D) (8) Review of project design, site plan, signing, lighting, landscaping, etc., by the city's architectural and site review committee, and compliance with adopted design guidelines and standards, and review committee recommendations;

- The project complies with the design guidelines and standards established by the Municipal Code. A variance has been approved for the location of the detached garage and the driveway landscaping requirement due to the property being a flag lot.

(D) (9) Project complies with LCP policies regarding protection of public landmarks, protection or provision of public views; and shall not block or detract from public views to and along Capitola's shoreline;

- The project will not negatively impact public landmarks and/or public views. The project will not block or detract from public views to and along Capitola's shoreline.

(D) (10) Demonstrated availability and adequacy of water and sewer services;

P. The project is located on a legal lot of record with available water and sewer services.

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

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

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

R. The project is for a single family home and attached secondary dwelling unit. The GHG emissions for the project are projected at less than significant impact. All water fixtures must comply with the low-flow standards of the Soquel Creek Water District.

(D) (13) Provision of park dedication, school impact, and other fees as may be required;

- The project will be required to pay appropriate fees prior to building permit issuance.

(D) (14) Project complies with coastal housing policies, and applicable ordinances including condominium conversion and mobile home ordinances;

- The project does not involve a condo conversion or mobile homes.

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

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

(D) (16) Project complies with Monarch butterfly habitat protection policies;

- The project is outside of any identified sensitive habitats, specifically areas where Monarch Butterflies have been encountered, identified and documented.

(D) (17) Project provides drainage and erosion and control measures to protect marine, stream, and wetland water quality from urban runoff and erosion;

- Conditions of approval have been included to ensure compliance with applicable erosion control measures.

(D) (18) Geologic/engineering reports have been prepared by qualified professional for projects in seismic areas, geologically unstable areas, or coastal bluffs, and project complies with hazard protection policies including provision of appropriate setbacks and mitigation measures;

- Geologic/engineering reports have been prepared by qualified professionals for this project. Conditions of approval have been included to ensure the project applicant shall comply with all applicable requirements of the most recent version of the California Building Standards Code.

(D) (19) All other geological, flood and fire hazards are accounted for and mitigated in the project design;

- Conditions of approval have been included to ensure the project complies with geological, flood, and fire hazards and are accounted for and will be mitigated in the project design.

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

- The proposed project complies with shoreline structure policies.

(D) (21) The uses proposed are consistent with the permitted or conditional uses of the zoning district in which the project is located;

S. This use is a principally permitted use consistent with the Single-Family zoning district.

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

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

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

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

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

5. PUBLIC HEARINGS

A. 700 A Bay Avenue #19-0048 APN: 036-051-35

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

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

Environmental Determination: Categorical Exemption

Property Owner: Ernie Gotti & Chris Splees

Representative: Mike & Sharon Hadley, Filed: 02.05.2019

Assistant Planner Orbach presented the staff report.

Commissioner Newman announced that he is familiar with The Fish Lady and considers it a well-run business. Commissioner Wilk agreed and said he would be happy to welcome the business to Capitola as an asset to our community.

MOTION: Approve the Conditional Use Permit with the follow conditions and findings.

CONDITIONS:

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

not result in the termination of such right or privilege. A permit shall be deemed to have been “used” when actual substantial, continuous activity has taken place upon the land pursuant to the permit.

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

FINDINGS:

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

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

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

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

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

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

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

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

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

Commissioners Newman and Wilk recused themselves from the remaining items as they live within 500 feet of the project sites. Commissioner Newman added that he submitted a written public comment regarding Item 5.B and has not communicated with staff about the project in any other manner.

B. 401 Capitola Avenue #19-0031 APN: 035-121-11

Conditional Use Permit and Design Permit for a take-out restaurant with a new patio and trellis located within the CN (Neighborhood Commercial) zoning district.

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

Environmental Determination: Categorical Exemption

Minutes Acceptance: Minutes of Apr 4, 2019 7:00 PM (Approval of Minutes)

Property Owner: Amy Cheng
Representative: Amy Cheng, Filed: 01.23.2019

Assistant Planner Orbach presented the staff report.

Chair Welch asked about the potential of changing the loading zone to a 20-minute parking spot. Planner Orbach said that could be suggested but would ultimately require City Council approval.

Commissioner Routh checked that the potential parking space has the required width for safe parking. Public Works has verified that this is the case.

Amy Cheng, property owner and project applicant, spoke to the commission and stressed that the business will rely on already present foot-traffic rather than visitors who would need parking to patron the restaurant.

Commissioner Routh asked the applicant where food would be prepared. Ms. Cheng replied that the restaurant would focus on drinks, while also offering small dishes such as rice bowls. Major food preparation will not take place on site and Commissioner Routh clarified that a grease-trap is not included in the application.

Dunn Silvey, 307 Fanmar, spoke about safety concerns of parking at this location, as the left-hand turn onto Fanmar is a blind corner. He asked about the six-seat maximum and the planning department explained this is a cumulative total of both inside and outside seating.

Michael Levine, business owner in the trestle building, expressed concern that the public would use the trestle building's private parking to visit the restaurant and opposed the project.

Commissioner Routh compared the proposed business' parking needs with nearby restaurant The Avenue Café, which generates a lot of clientele without impacting nearby parking. He said that his concern is more about parking safety, rather than its availability.

Commissioner Christiansen agreed that a loading zone is more appropriate than a parking spot in the proposed location. She expressed concern with the placement of the wall and garbage enclosure. Commissioner Routh responded that is may be more appropriate for the enclosure to be closer to the street rather than the neighboring homes.

Chair Welch agreed that a loading zone at this location made common sense and expressed belief that the restaurant's proximity to the Upper and Lower Pacific Cove parking lots will provide plenty of parking options for this business.

Director Herlihy suggested the Planning Commission include any residential use protections, such as restrictions on kitchen expansion or outdoor seating, within the conditions of approval for this application.

Commissioner Routh asked the planning department about loading zone rules, and was told that it would become a metered public-parking spot after 2 p.m. He suggested limiting the patio on the side of the building to only accommodate a trash enclosure.

MOTION: Approve Conditional Use Permit and Design Permit with the following conditions and findings.

CONDITIONS:

1. The project approval consists of a Conditional Use Permit for a take-out restaurant with a maximum of 6 seats and a Design Permit for construction of a ~~142-square-foot patio~~ garbage storage area with a trellis. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on April 4, 2019, except as modified through conditions imposed by the Planning Commission during the hearing.

2. There shall be no amplified audible entertainment inside the business that can be audible outside of the business.
3. The applicant is responsible for maintaining the area directly in front of the business free from litter and/or graffiti.
4. All exterior furniture shall be stored inside the main building when the restaurant is closed.
5. The garbage area shall be maintained to prevent odors and provide screening from the street and screening from adjacent neighbors.
6. Any outside lighting on the building shall be turned off within half an hour of the closing time of the business.
7. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans.
8. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
9. At time of submittal for building permit review, Public Works Standard Detail SMP STRM shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.
10. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
11. Prior to issuance of building permit, a final landscape plan shall be submitted and approved by the Community Development Department. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of irrigation systems.
12. Prior to issuance of building permit, all Planning fees associated with permit #19-0031 shall be paid in full.
13. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Creek Water District, and Central Fire Protection District.
14. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
15. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
16. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.

17. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
18. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
19. Prior to a project final, all cracked or broken driveway approaches, curb, gutter, or sidewalk shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.
20. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
21. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
22. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
23. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
24. The application shall be reviewed by the Planning Commission upon evidence of non-compliance with conditions of approval or applicable municipal code provisions.
25. The proposed patio on the south side of the building shall be removed. The applicant may construct a small garbage storage area on the south side of the building located toward the midpoint of the building. Revised plans shall be approved by the Community Development Director.
26. Any roof jacks required for future kitchen exhaust systems shall be located on the front half of the roof to minimize the impacts of food odors on adjacent residential properties.

FINDINGS:

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

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

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

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

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

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

RESULT:	APPROVED [3 TO 0]
MOVER:	Mick Routh
SECONDER:	Courtney Christiansen
AYES:	Welch, Routh, Christiansen
RECUSED:	Newman, Wilk

C. 322 Capitola Avenue #18-0628 APN: 035-181-16

Design Permit and Coastal Development Permit for a new two-story single-family residence located within the CV (Central Village) zoning district with a Variance request for the required offsite parking spaces. This project requires a Coastal Development Permit which is not appealable to the California Coastal Commission after all possible appeals are exhausted through the City.
 Environmental Determination: Categorical Exemption
 Owner: Unsophisticated Builders
 Representative: Dennis Norton, Filed: 12.11.2018

Assistant Planner Orbach presented the staff report.

Dennis Norton, representative of property owner, spoke to the Commission and was present for questions.

Commissioner Routh acknowledged the difficulty this project faces because of conflicting parking requirements and supported a Variance to allow construction without providing parking. He also supported recommending City Council review an in-lieu parking program for residential development.

Commissioner Christiansen asked if the applicant has considered using the 329 Cherry Avenue parcel (Item 5.D) for parking, as the applicant owns both properties. Mr. Norton responded that though considered by the applicant the idea could cause future legal problems.

Chair Welch agreed that the parking issue is complicated.

Director Herlihy reminded the Commission to define the unique circumstances required to grant a variance; Commissioner Routh highlighted this lot's characteristic as the last vacant lot in the Village and the Code's conflicting requirements for parking at the site.

MOTION: Approve Design Permit, parking Variance request, and Coastal Development Permit with the following conditions and findings.

CONDITIONS:

1. The project approval consists of construction of a 1,999 square-foot single-family residence with a variance for the required off-site parking. There is no specific maximum lot coverage in the C-V zone, provided the project meets all other lot requirements. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on April 4, 2019, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans.
3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
4. At time of submittal for building permit review, Public Works Standard Detail SMP STRM shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.
5. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
6. Prior to issuance of building permit, a final landscape plan shall be submitted and approved by the Community Development Department. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of irrigation systems.
7. Prior to issuance of building permit, all Planning fees associated with permit #18-0628 shall be paid in full.
8. Prior to issuance of building permit, Affordable housing in-lieu fees shall be paid as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance.
9. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Creek Water District, and Central Fire Protection District.
10. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
11. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
12. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.

13. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
14. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
15. Prior to a project final, all cracked or broken driveway approaches, curb, gutter, or sidewalk shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.
16. Prior to issuance of a Certificate of Occupancy, the applicant shall demonstrate compliance with the tree removal permit authorized by this permit for 3 trees to be removed from the property. Required replacement trees shall be of the same size, species, and planted on the site as shown on the approved landscape plans.
17. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
18. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
19. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
20. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
21. Prior to issuance of building permits, the building plans must show that the existing overhead utility lines will be underground to the nearest utility pole.
22. Prior to issuance of a building permit, an archaeological survey report and monitoring plan shall be prepared for the development.
 - a. The archaeological survey report shall include, at a minimum, a field survey by an archaeologist, survey of available state resource information at the Northwest Regional Information Center of the California Archaeological Inventory, description of the site's sensitivity, and any identified archaeological resources. The city will initiate the preparation of the survey report at the applicant's expense utilizing a qualified archaeologist selected by the community development department.

- b. The cultural resource monitoring plan shall, at a minimum:
 - i. Identify all areas of proposed grading or earth disturbing activities which have the potential to impact historic or prehistoric resources;
 - ii. Identify the qualified archaeological monitor assigned to the project;
 - iii. Describe the proposed monitoring program, including the areas to be monitored, the duration of monitoring, and monitoring protocols;
 - iv. Outline procedures to be followed if cultural resources are discovered, including requirements to stop work, consultation with the City and any Native American participation (as appropriate), resource evaluation, mitigation plan requirements, and protocols if human remains are encountered; and
 - v. Include post-monitoring reporting requirements and curation procedures.
23. Prior to issuance of a building or grading permit, the applicant shall submit evidence that a qualified archaeological monitor has been retained to oversee all earthwork activities.
 24. The archaeological monitor shall attend the preconstruction meeting to coordinate required grading monitoring activities with the construction manager and contractors.
 25. If resources are encountered, the archaeological monitor shall have the authority to stop work until a significance determination is made.
 26. If significant resources are discovered, work may remain halted at the archaeologist's discretion until such time that a mitigation plan has been prepared and implemented with the concurrence of the Community Development Department.
 27. Following completion of archaeological monitoring, the archaeologist shall submit a summary and findings of the monitoring work.
 - a. If no resources are recovered, a brief letter report shall be completed that includes a site record update on a California Department of Park and Recreation form 523.
 - b. If significant resources are recovered, the report shall include a preliminary evaluation of the resources, a preliminary map of discovered resources, a completed California Department of Park and Recreation form 523, and recommendations for additional research if warranted.
 28. If human remains are found at any time, the immediate area of the discovery shall be closed to pedestrian traffic along the Capitola Avenue street frontage and the Santa Cruz County Coroner must be notified immediately. If the Coroner determines that the remains are Native American, the Native American Heritage Commission shall be notified as required by law.
 29. The archaeological monitor may discontinue monitoring with approval by the Community Development Director if he/she finds that site conditions, such as the presence of imported fill or other factors, indicates that significant prehistoric deposits are not possible.
 30. The archaeologist shall prepare a grading monitoring letter report summarizing all monitoring work and any recovered resources. The letter report shall be submitted to the Community Development Department within 30 days following completion of grading activities.

FINDINGS:

- A. **The project, subject to the conditions imposed, secures the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**
Community Development Staff, the Architectural and Site Review Committee, and the Planning

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

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

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the application for the construction of a new single-family residence. The home is located at the gateway into the Capitola Village with high pedestrian traffic between the public parking lots and the village. The design protects the village character with no new introduction of curb cuts for the development. The design of the home, with board and batten second-story siding, doorway overhangs, gable roof, and a scaled relationship between neighboring buildings, will fit in nicely with the existing neighborhood. The home is setback from the street in a similar fashion to the existing single-family home to the north. Residential use is appropriate due to the existing residential uses on the adjacent properties and low demand on parking. The project will maintain the character and integrity of the neighborhood.

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

Section 15303(a) of the CEQA Guidelines exempts one single-family residence in a residential zone on a legal parcel. This project involves the construction of a new single-family residence within the CV (Central Village) zoning district. No adverse environmental impacts were discovered during review of the proposed project.

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

The special circumstance applicable to the subject property is that it is the only vacant lot within the central commercial district of the City of Capitola Central Village zoning district without existing onsite parking or an existing curb cut. The property is located at the gateway into the Capitola Village with high pedestrian traffic between the public parking lots and the village. A new curb cut along this block would have a negative impact on the pedestrian experience. The site is located in close proximity to a known archeological site, therefore minimal excavation should occur on the property. There is a change of grade from the street onto the property and excavation for a driveway onto the site would be substantial and could have a significant impact.

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

The grant of this variance would not constitute a special privilege because there are many developments in the central commercial district of the Central Village that were established without parking. This is the last vacant lot in the central commercial district of the village with no onsite parking. Any future modification to the structure will be required to comply with the standards for intensification of use or expansion of structure.

COASTAL FINDINGS:

D. Findings Required.

- 1. A coastal permit shall be granted only upon adoption of specific written factual findings supporting the conclusion that the proposed development conforms to the certified Local Coastal Program, including, but not limited to:**
 - a. A statement of the individual and cumulative burdens imposed on public access and recreation opportunities based on applicable factors identified pursuant to subsection (D)(2) of this section. The type of affected public access and recreation opportunities shall be clearly described;

- b. An analysis based on applicable factors identified in subsection (D)(2) of this section of the necessity for requiring public access conditions to find the project consistent with the public access provisions of the Coastal Act;
- c. A description of the legitimate governmental interest furthered by any access conditions required;
- d. An explanation of how imposition of an access dedication requirement alleviates the access burdens identified.
 - The proposed development conforms to the City's certified Local Coastal Plan (LCP). The specific, factual findings, as per CMC Section 17.46.090(D) are as follows:

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

- a. Project Effects on Demand for Access and Recreation. Identification of existing and open public access and coastal recreation areas and facilities in the regional and local vicinity of the development. Analysis of the project's effects upon existing public access and recreation opportunities. Analysis of the project's cumulative effects upon the use and capacity of the identified access and recreation opportunities, including public tidelands and beach resources, and upon the capacity of major coastal roads from subdivision, intensification or cumulative buildout. Projection for the anticipated demand and need for increased coastal access and recreation opportunities for the public. Analysis of the contribution of the project's cumulative effects to any such projected increase. Description of the physical characteristics of the site and its proximity to the sea, tideland viewing points, upland recreation areas, and trail linkages to tidelands or recreation areas. Analysis of the importance and potential of the site, because of its location or other characteristics, for creating, preserving or enhancing public access to tidelands or public recreation opportunities;
 - The proposed project is located at 322 Capitola Avenue. The home is not located in an area with coastal access. The home will not have an effect on public trails or beach access.
- b. Shoreline Processes. Description of the existing shoreline conditions, including beach profile, accessibility and usability of the beach, history of erosion or accretion, character and sources of sand, wave and sand movement, presence of shoreline protective structures, location of the line of mean high tide during the season when the beach is at its narrowest (generally during the late winter) and the proximity of that line to existing structures, and any other factors which substantially characterize or affect the shoreline processes at the site. Identification of anticipated changes to shoreline processes at the site. Identification of anticipated changes to shoreline processes and beach profile unrelated to the proposed development. Description and analysis of any reasonably likely changes, attributable to the primary and cumulative effects of the project, to: wave and sand movement affecting beaches in the vicinity of the project; the profile of the beach; the character, extent, accessibility and usability of the beach; and any other factors which characterize or affect beaches in the vicinity. Analysis of the effect of any identified changes of the project, alone or in combination with other anticipated changes, will have upon the ability of the public to use public tidelands and shoreline recreation areas;
 - The proposed project is located along Capitola Avenue. No portion of the project is located along the shoreline or beach.
- c. Historic Public Use. Evidence of use of the site by members of the general public for a continuous five-year period (such use may be seasonal). Evidence of the type and character of use made by the public (vertical, lateral, blufftop, etc., and for passive and/or active

- recreational use, etc.). Identification of any agency (or person) who has maintained and/or improved the area subject to historic public use and the nature of the maintenance performed and improvements made. Identification of the record owner of the area historically used by the public and any attempts by the owner to prohibit public use of the area, including the success or failure of those attempts. Description of the potential for adverse impact on public use of the area from the proposed development (including but not limited to, creation of physical or psychological impediments to public use);
- There is not a history of public use on the subject lot.
- d. **Physical Obstructions.** Description of any physical aspects of the development which block or impede the ability of the public to get to or along the tidelands, public recreation areas, or other public coastal resources or to see the shoreline;
- The proposed project is located on private property on Capitola Avenue. The project will not block or impede the ability of the public to get to or along the tidelands, public recreation areas, or views to the shoreline.
- e. **Other Adverse Impacts on Access and Recreation.** Description of the development's physical proximity and relationship to the shoreline and any public recreation area. Analysis of the extent of which buildings, walls, signs, streets or other aspects of the development, individually or cumulatively, are likely to diminish the public's use of tidelands or lands committed to public recreation. Description of any alteration of the aesthetic, visual or recreational value of public use areas, and of any diminution of the quality or amount of recreational use of public lands which may be attributable to the individual or cumulative effects of the development.
- The proposed project is located on private property that will not impact access and recreation. The project does not diminish the public's use of tidelands or lands committed to public recreation nor alter the aesthetic, visual, or recreational value of public use areas.
- 3. Required Findings for Public Access Exceptions. Any determination that one of the exceptions of subsection (F)(2) applies to a development shall be supported by written findings of fact, analysis and conclusions which address all of the following:**
- a. The type of access potentially applicable to the site involved (vertical, lateral, bluff top, etc.) and its location in relation to the fragile coastal resource to be protected, the agricultural use, the public safety concern, or the military facility which is the basis for the exception, as applicable;
 - b. Unavailability of any mitigating measures to manage the type, character, intensity, hours, season or location of such use so that agricultural resources, fragile coastal resources, public safety, or military security, as applicable, are protected;
 - c. Ability of the public, through another reasonable means, to reach the same area of public tidelands as would be made accessible by an accessway on the subject land.
 - The project is not requesting a Public Access Exception; therefore these findings do not apply.
- 4. Findings for Management Plan Conditions. Written findings in support of a condition requiring a management plan for regulating the time and manner or character of public access use must address the following factors, as applicable:**
- a. Identification and protection of specific habitat values including the reasons supporting the conclusions that such values must be protected by limiting the hours, seasons, or character of public use;
 - The project is located in a residential area without sensitive habitat areas.
 - b. Topographic constraints of the development site;
 - The project is located on a mostly flat lot four and a half feet above sidewalk grade.
 - c. Recreational needs of the public;
 - The project does not impact the recreational needs of the public.
 - d. Rights of privacy of the landowner which could not be mitigated by setting the project back from the access way or otherwise conditioning the development;

- e. The requirements of the possible accepting agency, if an offer of dedication is the mechanism for securing public access;
 - f. Feasibility of adequate setbacks, fencing, landscaping, and other methods as part of a management plan to regulate public use.
5. **Project complies with public access requirements, including submittal of appropriate legal documents to ensure the right of public access whenever, and as, required by the certified land use plan and Section 17.46.010 (coastal access requirements);**
 - No legal documents to ensure public access rights are required for the proposed project.
 6. **Project complies with visitor-serving and recreational use policies;**

SEC. 30222

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

- The project involves a single-family home on a residential lot of record.

SEC. 30223

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

- The project involves a single-family home on a residential lot of record.

c) Visitor-serving facilities that cannot be feasibly located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

- The project involves a single-family home on a residential lot of record.

7. **Project complies with applicable standards and requirements for provision of public and private parking, pedestrian access, alternate means of transportation and/or traffic improvements;**
 - The project involves the construction of 1,999-square-foot single-family home which requires two off-site parking spaces. The project received a variance for the off-site parking requirement.
8. **Review of project design, site plan, signing, lighting, landscaping, etc., by the city's architectural and site review committee, and compliance with adopted design guidelines and standards, and review committee recommendations;**
 - The project complies with the design guidelines and standards established by the Municipal Code.
9. **Project complies with LCP policies regarding protection of public landmarks, protection or provision of public views; and shall not block or detract from public views to and along Capitola's shoreline;**
 - The project will not negatively impact public landmarks and/or public views. The project will not block or detract from public views to and along Capitola's shoreline.
10. **Demonstrated availability and adequacy of water and sewer services;**
 - The project is located on a legal lot of record with available water and sewer services.
11. **Provisions of minimum water flow rates and fire response times;**
 - The project is located less than two hundred feet from the Central Fire Protection District Capitola Station. Water is available at the location.
12. **Project complies with water and energy conservation standards;**

- The project is for a single-family home. The GHG emissions for the project are projected at less than significant impact. All water fixtures must comply with the low-flow standards of the Soquel Creek Water District.
13. **Provision of park dedication, school impact, and other fees as may be required;**
 - The project will be required to pay appropriate fees prior to building permit issuance.
 14. **Project complies with coastal housing policies, and applicable ordinances including condominium conversion and mobile home ordinances;**
 - The project does not involve a condo conversion or mobile homes.
 15. **Project complies with natural resource, habitat, and archaeological protection policies;**
 - Conditions of approval have been included to ensure compliance with established policies.
 16. **Project complies with Monarch butterfly habitat protection policies;**
 - The project is outside of any identified sensitive habitats, specifically areas where Monarch Butterflies have been encountered, identified, and documented.
 17. **Project provides drainage and erosion and control measures to protect marine, stream, and wetland water quality from urban runoff and erosion;**
 - Conditions of approval have been included to ensure compliance with applicable erosion control measures.
 18. **Geologic/engineering reports have been prepared by qualified professional for projects in seismic areas, geologically unstable areas, or coastal bluffs, and project complies with hazard protection policies including provision of appropriate setbacks and mitigation measures;**
 - Conditions of approval have been included to ensure the project applicant shall comply with all applicable requirements of the most recent version of the California Building Standards Code.
 19. **All other geological, flood and fire hazards are accounted for and mitigated in the project design;**
 - Conditions of approval have been included to ensure the project complies with geological, flood, and fire hazards and are accounted for and will be mitigated in the project design.
 20. **Project complies with shoreline structure policies;**
 - The proposed project is not located along a shoreline.
 21. **The uses proposed are consistent with the permitted or conditional uses of the zoning district in which the project is located;**
 - This use is an allowed use consistent with the CV (Central Village) zoning district.
 22. **Conformance to requirements of all other city ordinances, zoning requirements, and project review procedures; and**
 - The project conforms to the requirements of all city ordinances, zoning requirements, and project development review and development procedures.
 23. **Project complies with the Capitola parking permit program as follows:**
 - a. The village area preferential parking program areas and conditions as established in Resolution No. 2596 and no permit parking of any kind shall be allowed on Capitola Avenue.
 - b. The neighborhood preferential parking program areas are as established in Resolution Numbers 2433 and 2510.
 - c. The village area preferential parking program shall be limited to three hundred fifty permits.
 - d. Neighborhood permit areas are only in force when the shuttle bus is operating except that:
 - i. The Fanmar area (Resolution No. 2436) program may operate year-round, twenty-four hours a day on weekends,

- ii. The Burlingame, Cliff Avenue/Grand Avenue area (Resolution No. 2435) have year-round, twenty-four hour per day “no public parking.”
- e. Except as specifically allowed under the village parking program, no preferential residential parking may be allowed in the Cliff Drive parking areas.
- f. Six Depot Hill twenty-four minute “Vista” parking spaces (Resolution No. 2510) shall be provided as corrected in Exhibit A attached to the ordinance codified in this section and found on file in the office of the city clerk.
- g. A limit of fifty permits for the Pacific Cove parking lot may be issued to village permit holders and transient occupancy permit holders.
- h. No additional development in the village that intensifies use and requires additional parking shall be permitted. Changes in use that do not result in additional parking demand can be allowed and exceptions for onsite parking as allowed in the land use plan can be made.
 - The project received a variance for the required off-site parking requirement of two spaces. The site is located within the area of the Capitola parking permit program. If the residence is a vacation home, it would be eligible to receive one parking pass. If the residence is a primary home, it would be eligible to receive two parking passes. Currently, the city is well under the maximum distribution limit of 350 passes within the village area preferential parking program.

RESULT:	APPROVED [3 TO 0]
MOVER:	Mick Routh
SECONDER:	Courtney Christiansen
AYES:	Welch, Routh, Christiansen
RECUSED:	Newman, Wilk

D. 329 Cherry Avenue #18-0629 APN: 035-181-01

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

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

Environmental Determination: Categorical Exemption

Property Owner: Unsophisticated Builders

Representative: Dennis Norton, Filed: 12.11.2018

Assistant Planner Matt presented the staff report.

Commissioner Routh expressed appreciation that this application did not include a variance request.

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

CONDITIONS:

1. The project approval consists of construction of a new 2,004-square-foot single-family residence. The maximum Floor Area Ratio in the General Plan for the 1,587 square foot property is 2.0 (3,174 square feet). The total FAR of the project is 1.26 with a total of 2,004 square feet, compliant with the maximum FAR within the zone. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on April 4, 2019, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved

Minutes Acceptance: Minutes of Apr 4, 2019 7:00 PM (Approval of Minutes)

- by the Planning Commission. All construction and site improvements shall be completed according to the approved plans
3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
 4. At time of submittal for building permit review, Public Works Standard Detail SMP STRM shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.
 5. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
 6. Prior to issuance of building permit, a final landscape plan shall be submitted and approved by the Community Development Department. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of irrigation systems.
 7. Prior to issuance of building permit, all Planning fees associated with permit #18-0629 shall be paid in full.
 8. Prior to issuance of building permit, Affordable housing in-lieu fees shall be paid as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance.
 9. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Creek Water District, and Central Fire Protection District.
 10. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
 11. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
 12. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
 13. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
 14. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
 15. Prior to a project final, all cracked or broken driveway approaches, curb, gutter, or sidewalk shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.
 16. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-

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

17. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
18. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
19. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
20. Prior to issuance of building permits, the building plans must show that the existing overhead utility lines will be underground to the nearest utility pole.

FINDINGS:

- A. **The project, subject to the conditions imposed, secures the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The proposed single-family residence complies with the development standards of the CV (Central Village) District. The project secures the purpose of the Zoning Ordinance, General Plan, and Local Coastal Plan.
- B. **The project will maintain the character and integrity of the neighborhood.**
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the application for the new single-family residence. The design of the home with horizontal siding, decorative beam and post at the front entry way, and gabled roof will fit in nicely with the existing neighborhood. The project will maintain the character and integrity of the neighborhood.
- C. **This project is categorically exempt under Section 15303(a) of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.**
Section 15303(a) of the CEQA Guidelines exempts one single-family residence in a residential zone. This project involves new single-family residence within the CV (Central Village) zoning district. No adverse environmental impacts were discovered during review of the proposed project.

COASTAL FINDINGS:

D. Findings Required.

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

- d. An explanation of how imposition of an access dedication requirement alleviates the access burdens identified.
- The proposed development conforms to the City's certified Local Coastal Plan (LCP). The specific, factual findings, as per CMC Section 17.46.090(D) are as follows:

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

- a. Project Effects on Demand for Access and Recreation. Identification of existing and open public access and coastal recreation areas and facilities in the regional and local vicinity of the development. Analysis of the project's effects upon existing public access and recreation opportunities. Analysis of the project's cumulative effects upon the use and capacity of the identified access and recreation opportunities, including public tidelands and beach resources, and upon the capacity of major coastal roads from subdivision, intensification or cumulative buildout. Projection for the anticipated demand and need for increased coastal access and recreation opportunities for the public. Analysis of the contribution of the project's cumulative effects to any such projected increase. Description of the physical characteristics of the site and its proximity to the sea, tideland viewing points, upland recreation areas, and trail linkages to tidelands or recreation areas. Analysis of the importance and potential of the site, because of its location or other characteristics, for creating, preserving or enhancing public access to tidelands or public recreation opportunities;
- The proposed project is located at 329 Cherry Avenue. The home is not located in an area with coastal access. The home will not have an effect on public trails or beach access.
- b. Shoreline Processes. Description of the existing shoreline conditions, including beach profile, accessibility and usability of the beach, history of erosion or accretion, character and sources of sand, wave and sand movement, presence of shoreline protective structures, location of the line of mean high tide during the season when the beach is at its narrowest (generally during the late winter) and the proximity of that line to existing structures, and any other factors which substantially characterize or affect the shoreline processes at the site. Identification of anticipated changes to shoreline processes and beach profile unrelated to the proposed development. Description and analysis of any reasonably likely changes, attributable to the primary and cumulative effects of the project, to: wave and sand movement affecting beaches in the vicinity of the project; the profile of the beach; the character, extent, accessibility and usability of the beach; and any other factors which characterize or affect beaches in the vicinity. Analysis of the effect of any identified changes of the project, alone or in combination with other anticipated changes, will have upon the ability of the public to use public tidelands and shoreline recreation areas;
- The proposed project is located on Cherry Avenue. No portion of the project is located along the shoreline or beach.
- c. Historic Public Use. Evidence of use of the site by members of the general public for a continuous five-year period (such use may be seasonal). Evidence of the type and character of use made by the public (vertical, lateral, blufftop, etc., and for passive and/or active recreational use, etc.). Identification of any agency (or person) who has maintained and/or improved the area subject to historic public use and the nature of the maintenance performed and improvements made. Identification of the record owner of the area historically used by the public and any attempts by the owner to prohibit public use of the area, including the success or failure of those attempts. Description of the potential for adverse impact on

- public use of the area from the proposed development (including but not limited to, creation of physical or psychological impediments to public use);
- There is not a history of public use on the subject lot.
- d. **Physical Obstructions.** Description of any physical aspects of the development which block or impede the ability of the public to get to or along the tidelands, public recreation areas, or other public coastal resources or to see the shoreline;
- The proposed project is located on private property on Cherry Avenue. The project will not block or impede the ability of the public to get to or along the tidelands, public recreation areas, or views to the shoreline.
- e. **Other Adverse Impacts on Access and Recreation.** Description of the development's physical proximity and relationship to the shoreline and any public recreation area. Analysis of the extent of which buildings, walls, signs, streets or other aspects of the development, individually or cumulatively, are likely to diminish the public's use of tidelands or lands committed to public recreation. Description of any alteration of the aesthetic, visual or recreational value of public use areas, and of any diminution of the quality or amount of recreational use of public lands which may be attributable to the individual or cumulative effects of the development.
- The proposed project is located on private property that will not impact access and recreation. The project does not diminish the public's use of tidelands or lands committed to public recreation nor alter the aesthetic, visual, or recreational value of public use areas.
- (C) Required Findings for Public Access Exceptions. Any determination that one of the exceptions of subsection (F)(2) applies to a development shall be supported by written findings of fact, analysis and conclusions which address all of the following:**
- a. The type of access potentially applicable to the site involved (vertical, lateral, bluff top, etc.) and its location in relation to the fragile coastal resource to be protected, the agricultural use, the public safety concern, or the military facility which is the basis for the exception, as applicable;
 - b. Unavailability of any mitigating measures to manage the type, character, intensity, hours, season or location of such use so that agricultural resources, fragile coastal resources, public safety, or military security, as applicable, are protected;
 - c. Ability of the public, through another reasonable means, to reach the same area of public tidelands as would be made accessible by an accessway on the subject land.
 - The project is not requesting a Public Access Exception, therefore these findings do not apply.
- (D) Findings for Management Plan Conditions. Written findings in support of a condition requiring a management plan for regulating the time and manner or character of public access use must address the following factors, as applicable:**
- a. Identification and protection of specific habitat values including the reasons supporting the conclusions that such values must be protected by limiting the hours, seasons, or character of public use;
 - The project is located in a residential area without sensitive habitat areas.
 - b. Topographic constraints of the development site;
 - The project is located on a flat lot.
 - c. Recreational needs of the public;
 - The project does not impact the recreational needs of the public.
 - d. Rights of privacy of the landowner which could not be mitigated by setting the project back from the access way or otherwise conditioning the development;
 - e. The requirements of the possible accepting agency, if an offer of dedication is the mechanism for securing public access;

- f. Feasibility of adequate setbacks, fencing, landscaping, and other methods as part of a management plan to regulate public use.
- (E) **Project complies with public access requirements, including submittal of appropriate legal documents to ensure the right of public access whenever, and as, required by the certified land use plan and Section 17.46.010 (coastal access requirements);**
- No legal documents to ensure public access rights are required for the proposed project.
- (F) **Project complies with visitor-serving and recreational use policies;**

SEC. 30222

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

- The project involves a new single-family home on a residential lot of record.

SEC. 30223

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

- The project involves a new single-family home on a residential lot of record.

c) Visitor-serving facilities that cannot be feasibly located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

- The project involves a new single-family home on a residential lot of record.

- (G) **Project complies with applicable standards and requirements for provision of public and private parking, pedestrian access, alternate means of transportation and/or traffic improvements;**
- The project involves the construction of a new single-family home. The project complies with applicable standards and requirements for provision for parking, pedestrian access, alternate means of transportation, and/or traffic improvements.
- (H) **Review of project design, site plan, signing, lighting, landscaping, etc., by the city's architectural and site review committee, and compliance with adopted design guidelines and standards, and review committee recommendations;**
- The project complies with the design guidelines and standards established by the Municipal Code.
- (I) **Project complies with LCP policies regarding protection of public landmarks, protection or provision of public views; and shall not block or detract from public views to and along Capitola's shoreline;**
- The project will not negatively impact public landmarks and/or public views. The project will not block or detract from public views to and along Capitola's shoreline.
- (J) **Demonstrated availability and adequacy of water and sewer services;**
- The project is located on a legal lot of record with available water and sewer services.
- (K) **Provisions of minimum water flow rates and fire response times;**
- The project is located 354 feet from the Central Fire Protection District Capitola Station. Water is available at the location.
- (L) **Project complies with water and energy conservation standards;**
- The project is for a new single-family home. The GHG emissions for the project are projected at less than significant impact. All water fixtures must comply with the low-flow standards of the Soquel Creek Water District.

- (M) Provision of park dedication, school impact, and other fees as may be required;**
- The project will be required to pay appropriate fees prior to building permit issuance.
- (N) Project complies with coastal housing policies, and applicable ordinances including condominium conversion and mobile home ordinances;**
- The project does not involve a condo conversion or mobile homes.
- (O) Project complies with natural resource, habitat, and archaeological protection policies;**
- Conditions of approval have been included to ensure compliance with established policies.
- (P) Project complies with Monarch butterfly habitat protection policies;**
- The project is outside of any identified sensitive habitats, specifically areas where Monarch Butterflies have been encountered, identified and documented.
- (Q) Project provides drainage and erosion and control measures to protect marine, stream, and wetland water quality from urban runoff and erosion;**
- Conditions of approval have been included to ensure compliance with applicable erosion control measures.
- (R) Geologic/engineering reports have been prepared by qualified professional for projects in seismic areas, geologically unstable areas, or coastal bluffs, and project complies with hazard protection policies including provision of appropriate setbacks and mitigation measures;**
- Geologic/engineering reports have been prepared by qualified professionals for this project. Conditions of approval have been included to ensure the project applicant shall comply with all applicable requirements of the most recent version of the California Building Standards Code.
- (S) All other geological, flood and fire hazards are accounted for and mitigated in the project design;**
- Conditions of approval have been included to ensure the project complies with geological, flood, and fire hazards and are accounted for and will be mitigated in the project design.
- (T) Project complies with shoreline structure policies;**
- The proposed project is not located along a shoreline.
- (U) The uses proposed are consistent with the permitted or conditional uses of the zoning district in which the project is located;**
- This use is an allowed use consistent with the C-V (Central Village) zoning district.
- (V) Conformance to requirements of all other city ordinances, zoning requirements, and project review procedures; and**
- The project conforms to the requirements of all city ordinances, zoning requirements, and project development review and development procedures.
- (W) Project complies with the Capitola parking permit program as follows:**
- a. The village area preferential parking program areas and conditions as established in Resolution No. 2596 and no permit parking of any kind shall be allowed on Capitola Avenue.
 - b. The neighborhood preferential parking program areas are as established in Resolution Numbers 2433 and 2510.
 - c. The village area preferential parking program shall be limited to three hundred fifty permits.
 - d. Neighborhood permit areas are only in force when the shuttle bus is operating except that:
 - i. The Fanmar area (Resolution No. 2436) program may operate year-round, twenty-four hours a day on weekends,
 - ii. The Burlingame, Cliff Avenue/Grand Avenue area (Resolution No. 2435) have year-round, twenty-four hour per day “no public parking.”
 - e. Except as specifically allowed under the village parking program, no preferential residential parking may be allowed in the Cliff Drive parking areas.

- f. Six Depot Hill twenty-four minute “Vista” parking spaces (Resolution No. 2510) shall be provided as corrected in Exhibit A attached to the ordinance codified in this section and found on file in the office of the city clerk.
- g. A limit of fifty permits for the Pacific Cove parking lot may be issued to village permit holders and transient occupancy permit holders.
- h. No additional development in the village that intensifies use and requires additional parking shall be permitted. Changes in use that do not result in additional parking demand can be allowed and exceptions for onsite parking as allowed in the land use plan can be made.
 - The project complies with the Capitola parking permit program by providing three on-site parking spaces.

RESULT: **APPROVED [3 TO 0]**
MOVER: Mick Routh
SECONDER: Courtney Christiansen
AYES: Welch, Routh, Christiansen
RECUSED: Newman, Wilk

- 6. **DIRECTOR'S REPORT – NONE**
- 7. **COMMISSION COMMUNICATIONS – NONE**
- 8. **ADJOURNMENT**

The meeting was adjourned to the next regular meeting of the planning commission on May 2, 2018.

Approved by the Planning Commission at the regular meeting of May 2, 2019.

 Chloé Woodmansee, Clerk to the Commission

Minutes Acceptance: Minutes of Apr 4, 2019 7:00 PM (Approval of Minutes)



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT

DATE: MAY 2, 2019

SUBJECT: **1200 C 41st Avenue #19-0153 034-101-38**

Conditional Use Permit for on-site alcohol sale and consumption for Sapporo Ramen located within the CC (Community Commercial) zoning district. This project is in the Coastal Zone but does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption
 Owner: Stephanie Jenkins
 Representative: Gang Hu Liang, Filed: 04.05.19

APPLICANT PROPOSAL

The applicant submitted a request to amend the Conditional Use Permit (CUP) for an existing restaurant to add on-site alcohol sale and consumption located at 1200 41st Avenue #C in the CC (Community Commercial) zoning district. The proposed use is consistent with the General Plan, Local Coastal Plan, and Zoning Ordinance with the issuance of a CUP.

BACKGROUND

Sapporo Ramen is located in Suite C of the Begonia Plaza previously occupied by Ruyi Dim Sum. On January 15, 2015, the Planning Commission approved a CUP for the Ruyi Dim Sum restaurant. The privileges and conditions of the original CUP apply to a subsequent business of the same use. The original CUP did not allow for the sale of alcohol.

DISCUSSION

The property is located at 1200 41st Avenue within the Begonia Plaza. Begonia Plaza is a multi-tenant building with a mix of commercial land uses include: retail, restaurants, personal service establishment, a grocery store, and a fitness center. The properties surrounding Begonia Plaza include a mix of residential, commercial, and office use.

The applicant is requesting an amendment to the original CUP to add a Type 41 liquor license for the sale and consumption of beer and wine within the new Sapporo Ramen restaurant. A Type 41 On Sale Beer and Wine licenses from the Department of Alcoholic Beverage Control (ABC) "authorizes the sale of beer and wine for consumption on or off the premises where sold," and "minors are allowed on the premises." Sapporo Ramen intends to offer beer and sake to customers as part of the menu.

Sapporo Ramen currently operates from 11 am to 9:30 pm every day of the week. The addition of alcohol sales to the menu would be a typical service provided to patrons of a restaurant and

would help Sapporo Ramen compete within the restaurant market. The restaurant would maintain the current CUP to operate as a restaurant with the additional sale of alcohol. The amendment does not intensify the operation and therefore does not necessitate an increase in parking.

The Chief of Police, Terry McManus, reviewed the application, conducted a site visit, and made findings that support the approval of the CUP for a Type 41 license at 1200 C 41st Avenue. Chief McManus also provided a 'letter of necessity and convenience' for the project, which is required by the ABC if the application is for a location in a high crime area and/or a census tract with an overconcentration of alcohol outlets.

In issuing the CUP for the sale of alcohol, the Planning Commission may impose requirements and conditions with respect to location, design, siting, maintenance and operation of the use as may be necessary for the protection of adjacent properties and in the public interest. The previous conditions of approval for the 2015 CUP will continue to apply to the restaurant use and are included in the current permit conditions

CEQA

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

RECOMMENDATION

Staff recommends the Planning Commission approve project application #19-0153 based on the following Conditions and Findings for Approval.

CONDITIONS OF APPROVAL

1. On January 15, 2015, the Planning Commission approved a CUP for a restaurant use at 1200 41st Avenue Suite C. On May 2, 2019, the Planning Commission approved an amendment to the Conditional Use Permit for a restaurant to add onsite beer and wine sales at the existing restaurant at 1200 C 41st Avenue. No modifications to the size of the restaurant or the exterior of the structure are proposed within the application.
2. A copy of the approved Department of Alcoholic Beverage Control Permit must be filed with Community Development Department prior to initiating beer and wine sales.
3. The applicant shall receive permission from ABC prior to May 2, 2021. The conditional use permit to allow sale of alcohol will expire in the case where the conditionally permitted use has not been exercised within two years after the date of granting thereof. Any interruption or cessation beyond the control of the property owner shall be deemed to have been "used" when actual substantial, continuous activity has taken place upon the land pursuant to the permit. Applications for extension may be submitted by the applicant prior to permit expiration, pursuant to Municipal Code section 17.81.160
4. No live or amplified entertainment is approved within permit #19-0153. An Entertainment Permit is required for any entertainment that is audible outside of the structure. An

Entertainment Permit may be applied for through the Capitola Police Department.

5. Prior to onsite sale of alcohol, all Planning fees associated with permit #19-0153 shall be paid in full.
6. The applicant shall maintain a current business license from the City.
7. Compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance issue in a timely manner may result in permit revocation.

FINDINGS

- A. **The application, subject to the conditions imposed, will secure the purposes of the Zoning Ordinance and General Plan.**
Community Development Department Staff and the Planning Commission have reviewed the application and determined that the proposed restaurant with sale of alcohol may be granted a conditional use permit within the CC Zoning District. The use meets the intent and purpose of the Community Commercial Zoning District.
- B. **The application will maintain the character and integrity of the neighborhood.**
Community Development Department Staff and the Planning Commission have reviewed the proposed use and determined that the use complies with the applicable provisions of the Zoning Ordinance and maintain the character and integrity of this area of the City. The restaurant is located in a commercial plaza surrounding by a mixture of commercial and residential uses within a ¼ mile. Conditions of approval have been included to carry out these objectives.
- C. **This project is categorically exempt under section 15301 of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.**
The proposed project involves a restaurant within an existing commercial plaza. No adverse environmental impacts were discovered during project review by either the Planning Department Staff or the Planning Commission.
- D. **The use is consistent with the General Plan and will not be detrimental to the health, safety, peace, morals, comfort and general welfare of the neighborhood and the City.**
The applicant is not proposing an increase in the size of the existing restaurant. The use will remain as a restaurant with the addition of alcohol sales. The addition of alcohol within a restaurant will not be detrimental to the surrounding neighborhood or the City.

ATTACHMENTS:

1. ABC License Type List
2. 1200 C 41st Avenue – Sapporo Ramen – Letter of Necessity and Convenience

Prepared By: Sean Sesanto

COMMON ABC LICENSE TYPES AND THEIR BASIC PRIVILEGES

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



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



SPECIAL EVENTS

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

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

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

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

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

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

Note:

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

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



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

April 15, 2019

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

Reference: Sapporo Ramen
 1200 41st Suite C, Capitola, CA 95010 (Proposed location)
 On Sale - Beer and Wine Type 41

Dear Administrator:

The applicant, Sapporo Ramen, applied to the City of Capitola on April 5, 2019, for a use permit to conduct business at 1200 41st Street, Suite C, Capitola, California. Their letter indicates Sapporo Ramen will be offering beer and wine for sale, under a Type 41 alcohol beverage license.

The proposed business is located in police responsibility area 4401 and U.S. census tract number 1217.00. The site is in a high crime area and the census tract is over-concentrated (12 licenses authorized and 24 currently existing) with "on-sale" alcohol establishments, thus requiring a letter of necessity and convenience.

The Local Governing Body has determined, pursuant to §23958.4 of the Business and Professions Code, that the applicant serves the public convenience (§23958.4 b(2) B & P) and California Department of Alcoholic Beverage Control (A.B.C.) should approve an alcohol license Type 41, On Sale Beer & Wine (eating place) to the above captioned applicant.

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

In 1994, the California legislature provided amendments to the law that allowed for local control of some alcohol licenses. The purpose of this legislation is to help fight blighted and crime-impacted areas. The City Council appointed the Chief of Police as the local governing body in decisions related to public convenience or necessity in the issuance of certain alcohol licenses as required by section §23958.4 B. & P.

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

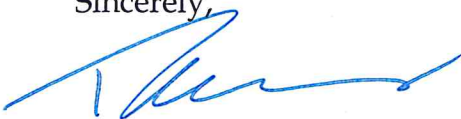
We also weigh both sides as it applies to specific location in the City and the specific applicant. Does the proposed establishment fit the goals of the city? Does the proposed establishment promote rather than detract from economic goals, plans, or redevelopment of the city? Does the proposed establishment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

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

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

In summary, Sapporo Ramen has been an existing and successful business in the City of Capitola, and I believe they will continue their success while providing positive economic vitality with very few public safety concerns.

Sincerely,



Terry McManus
Chief of Police

cc: Matt Orbach, Associate Planner, Community Development Department

TM/twm



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT

DATE: MAY 2, 2019

SUBJECT: **3744 Capitola Road** **#19-0171** **034-181-16**

Sign Permit for a new wall sign for Pono Hawaiian Kitchen and Tap located within the CC (Community Commercial) zoning district.
 This project is outside the Coastal Zone.
 Environmental Determination: Categorical Exemption
 Property Owner: William Lau
 Representative: Santa Cruz Signs, Filed: 04.12.19

APPLICANT PROPOSAL

The applicant is proposing a wall sign for Pono Hawaiian Kitchen & Tap located at 3744 Capitola Road in the CC (Community Commercial) zoning district. The applicant is requesting an adjustment for a 25 percent increase to the maximum sign area which requires Planning Commission approval.

BACKGROUND

In 2003, a wall sign was approved by the Planning Commission for the previous tenant "Bamboo Garden." The sign measured 16 feet wide and 18 inches tall for a total of 24 square-feet of sign area. The wall sign did not include a logo. Bamboo Garden no longer occupies the site.

DISCUSSION

3744 Capitola Road is located along the western gateway into Capitola. The property is a deep lot with the restaurant located close to the street and parking located behind the restaurant. It is situated between a restaurant and a currently unoccupied kennel along the street and residential in the back. The Capitola Mall, a regional shopping center, is located across the street. The property is located outside the coastal zone and is subject to the regulations of the 2018 zoning code.

The applicant is requesting approval of a new wall sign facing Capitola Road. The sign includes the Pono Hawaiian logo and the words "Kitchen & Tap" located below the logo. The logo would be mounted over an existing four-foot wide by four-foot tall circular wall vent.

The proposed sign incorporates internal illumination and halo illumination. Pursuant to §17.80.070.D, internally illuminated signs are permitted only when the portion of the sign that appears illuminated is primarily the sign lettering, registered trademark, or logo. Internally illuminated boxes are prohibited. The logo will be an internally lit painted aluminum cabinet with

a polycarbonate sign face. The letters are halo-lit, channel letters with painted aluminum returns and faces. White lighting from the back of each letter will illuminate the wall with a soft “halo” glow at night. The internally illuminated box is limited to the logo and complies with the sign illumination standards.

Adjustment to the Sign Standard

Capitola Municipal Code Section 17.80.080(F) establishes the maximum area of a wall sign at 1 square foot of sign area per linear foot of shopfront, not to exceed 36 square feet. Since the shopfront measures 38 linear feet there is maximum area of 36 square feet for the site. The applicant is requesting that the Planning Commission approve a twenty-five percent increase to the maximum allowed sign area for a total of 45 square feet. The logo measures five-feet wide by five-feet tall. The lettering is 13 feet wide by 19 inches tall.

Pursuant to §17.80.120(B), adjustments to the permitted sign area of up to a 25 percent increase are allowable with Planning Commission approval. The Planning Commission may approve the requested adjustment to the sign standard if the following findings can be made in addition to findings required to approve sign permit applications:

1. The sign will be compatible with adjacent structures and uses and is consistent with the character of the neighborhood or district where it is located.
2. The sign will not adversely impact neighboring properties or the community at large.
3. The adjustment is necessary due to unique characteristics of the subject property, structure, or use.
4. The sign will be consistent with the purpose of the zoning district, the general plan, local coastal program, and any adopted area or neighborhood plan.
5. The adjustment will not establish an undesirable precedent.

The property is located in a transition area where Capitola Road transitions from residential to the community commercial district. The building is located along the street frontage and visible from the street. There are no unique characteristics of the site necessitating an increase in sign area. Exceptions are typically granted when a building does not have visibility from the road. The adjustment would set a precedent for increased sign area for structure located close to the street. The logo sign could be decreased to four feet wide by four feet tall to comply with the thirty-six square foot sign area maximum. Condition of approval #1 requires the logo sign to be decreased to four feet wide by four feet tall.

There are currently window signs on the site advertising the future restaurant. Window signs in the CC zone are limited to a maximum of 30 percent of window. The current window signs exceed the window sign standard. A condition has been added identifying the approved signs for the property and requiring the site to be in full compliance with the sign code.

CEQA

This project is categorically exempt under Section 15301 of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations. The proposed project involves signs on a commercial property in the CC (Community Commercial) zoning district. No adverse environmental impacts were discovered during project review by either the Planning Department Staff or the Planning Commission.

RECOMMENDATION

Staff recommends that the Planning Commission deny the sign adjustment request and **approve** the sign permit for application #19-0171 as conditioned:

CONDITIONS OF APPROVAL

1. The project approval consists of a 36 square-foot wall sign at 3744 Capitola Road. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on May 2, 2019, except as modified through conditions imposed by the Planning Commission during the hearing. The Planning Commission required the logo sign be reduced to four feet by four feet, lowering the total sign area to 36 square feet to comply with the maximum area of a wall sign.
2. The wall sign may not expose any direct lighting or electrical. All electrical shall be concealed. The logo shall be internally illuminated, and the channel lettering shall be illuminated from the back for a halo glow. The sign illumination shall be low voltage and shall not shine directly on adjoining properties or cause glare for motorists or pedestrians.
3. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
4. Prior to issuance of building permit, all Planning fees associated with permit #19-0171 shall be paid in full.
5. All signs on the property must comply with sign standards of the Capitola Zoning code. Prior to installation of the wall sign the non-compliant window signs on the site must be removed. Illegal signs that are not remedied in a timely manner may result in a citation and may remove or cause removal of the illegal signs.
6. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
7. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends except for Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
8. Compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
9. This permit shall expire 2 years from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.156.080.

10. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.

FINDINGS

A. The proposed signs are consistent with the general plan, local coastal program, zoning code, and any applicable specific plan or area plan adopted by the city council.

The Community Development Department Staff and the Planning Commission have reviewed the sign application and determined that the proposed sign will secure the purposes of the zoning ordinance, design standards, and general plan.

B. The proposed signs comply with all applicable standards in Chapter 17.80 (Signs).

The proposed wall sign complies with all applicable standards of Chapter 17.80 as conditioned. The Planning Commission denied a request for an adjustment to the maximum sign area. The logo wall sign will be reduced to sixteen square feet as required in Condition of Approval #1.

C. The proposed sign will not adversely impact the public health, safety, or general welfare.

Community Development Department Staff and the Planning Commission have reviewed the sign application and determined that the proposed sign will not have adverse impact on public health, safety, or general welfare.

D. The number, size, placement, design, and material of the proposed signs are compatible with the architectural design of buildings on the site.

Community Development Department Staff and the Planning Commission have reviewed the sign application and determined that the proposal is compatible with the architectural design of the building.

E. The proposed signs are restrained in character and no larger than necessary for adequate identification.

Community Development Department Staff and the Planning Commission have reviewed the proposed design and included conditions that will be no larger than necessary for adequate identification.

F. This project is categorically exempt under Section 15301 of the California Environmental Quality Act and is not subject to Section 735.5 of Title 14 of the California Code of Regulations.

The wall sign proposed is for a new restaurant in the Community Commercial zoning district. No adverse environmental impacts were discovered during project review by either the Planning Department Staff or the Planning Commission.

ATTACHMENTS:

1. 3744 Capitola Road - Sign Plans

Prepared By: Sean Sesanto



501 A River Street
Santa Cruz, CA 95060

831.337.4467

design@santacruzsigns.com

santacruzsigns.com
facebook.com/santacruzsigns

CUSTOMER

Pono Hawaiian Grill
3744 Capitola Rd
Santa Cruz, CA 95062

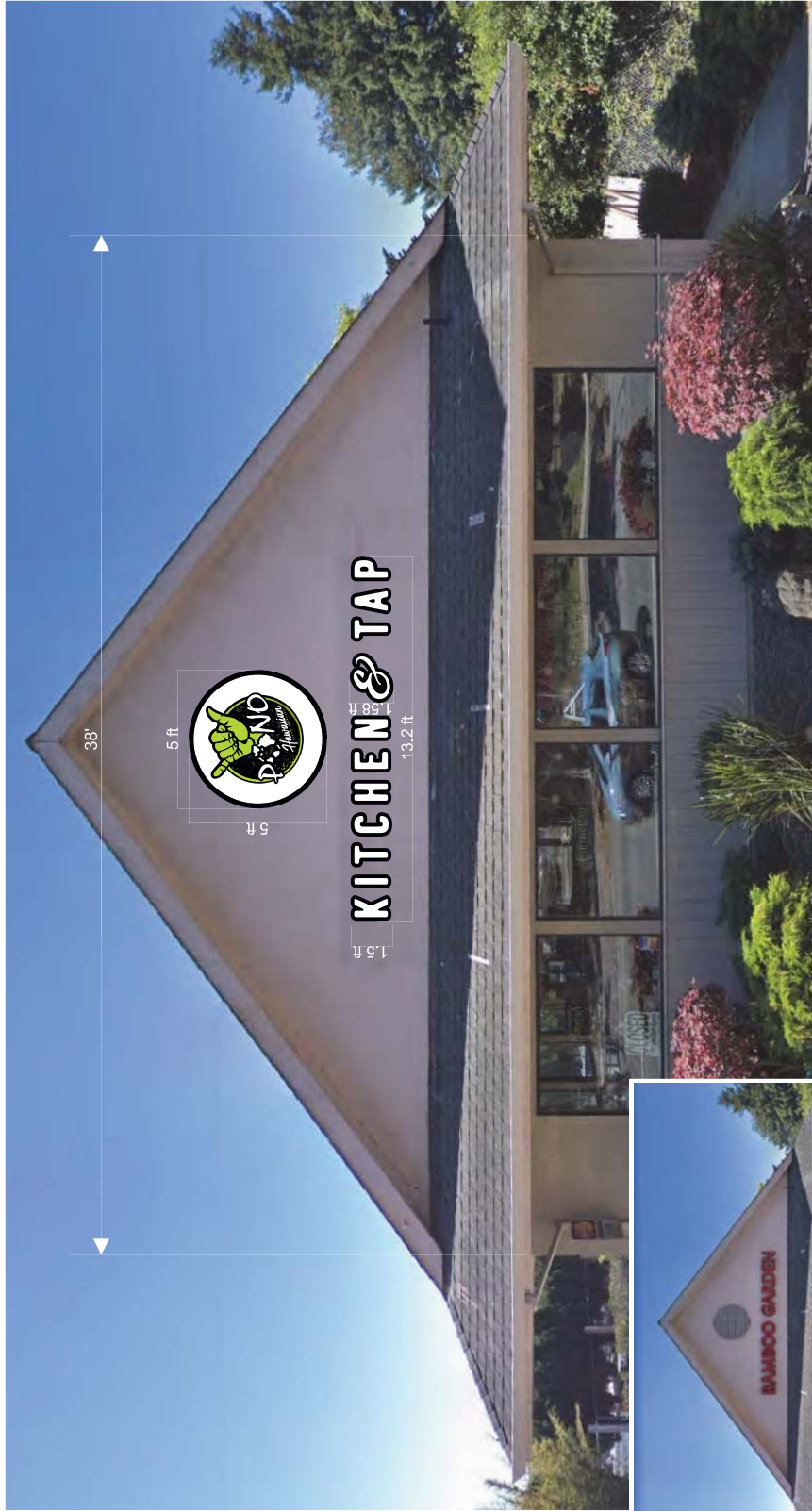
CONTACT

Timmy Hunt
(831) 428-7546
ponokitchenandtapp@gmail.com

NOTE: This is an original unpublished drawing, created by Santa Cruz Signs. It is submitted for your personal use in connection with a project being planned for you by Santa Cruz Signs. It is not to be shown to anyone outside your organization, nor is it to be reproduced, copied, photographed, exhibited or used in any fashion without the express written permission of Santa Cruz Signs.
The colors shown in this layout are not intended to match customer's final printed product.

Halo-Lit internally-illuminated channel letters with painted aluminum returns and faces. White lighting from back of each letter illuminating the wall with a soft "halo" glow at night. Lighting to be low voltage LED.

Single-sided electrical sign cabinet. This is an internally-illuminated electrical sign, with a painted aluminum cabinet and Lexan sign face. Graphics to be translucent vinyl film. Lighting to be low voltage LED.



after



before

Scale: 1/4" = 1'



501 A River Street
Santa Cruz, CA 95060

831.337.4467

design@santacruzsigns.com

santacruzsigns.com
facebook.com/santacruzsigns

CUSTOMER

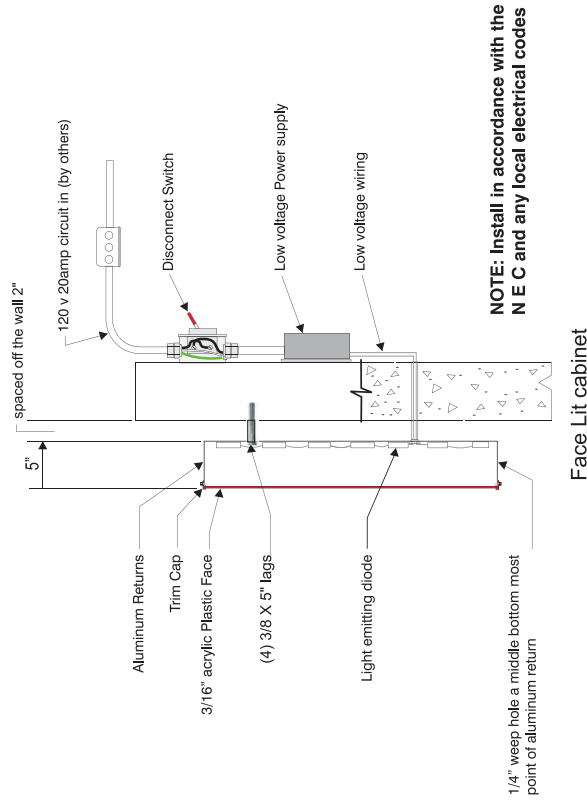
Pono Hawaiian Grill
3744 Capitola Rd
Santa Cruz, CA 95062

CONTACT

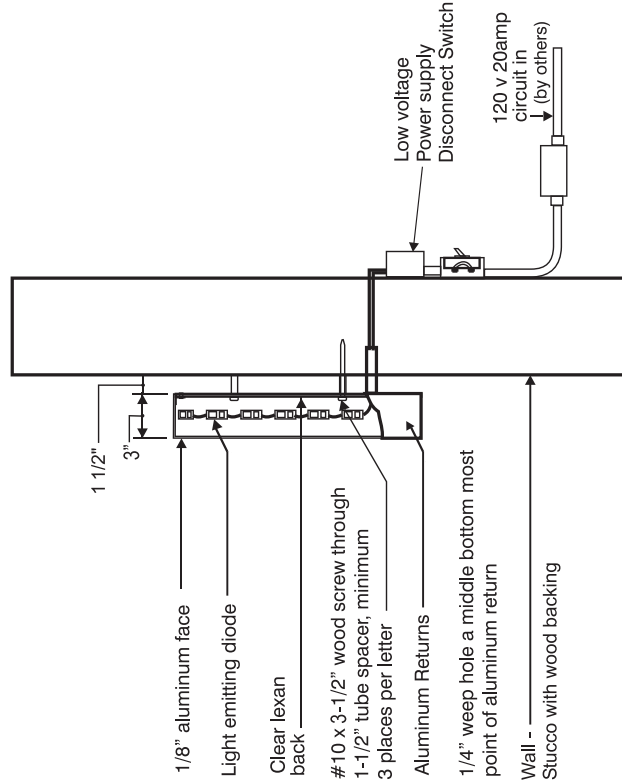
Timmy Hunt
(831) 428-7546
ponokitchenandtap@gmail.com

NOTE: This is an original unpublished drawing, created by Santa Cruz Signs. It is submitted for your personal use in connection with a project being planned for you by Santa Cruz Signs. It is not to be shown to anyone outside your organization, nor is it to be reproduced, copied, photographed, exhibited or used in any fashion without the express written permission of Santa Cruz Signs.

The colors shown in this layout are not intended to match customer's final printed product.



Face Lit cabinet



Halo-Lit internally-illuminated channel letters



501 A River Street
Santa Cruz, CA 95060

831.337.4467

design@santacruzsigns.com

santacruzsigns.com
facebook.com/santacruzsigns

CUSTOMER

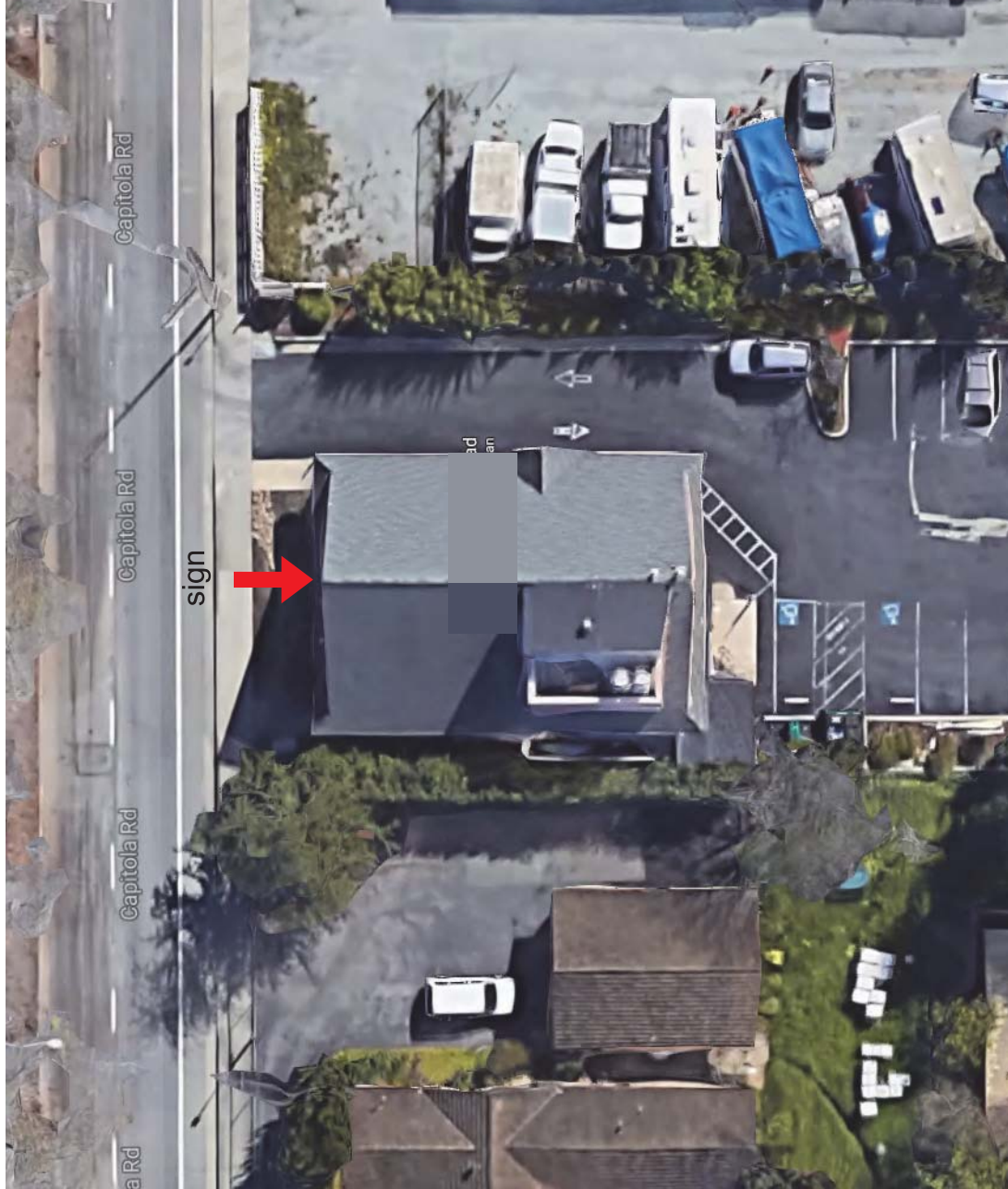
Pono Hawaiian Grill
3744 Capitola Rd
Santa Cruz, CA 95062

CONTACT

Timmy Hunt
(831) 428-7546
ponokitchenandtap@gmail.com

NOTE: This is an original unpublished drawing, created by Santa Cruz Signs. It is submitted for your personal use in connection with a project being planned for you by Santa Cruz Signs. It is not to be shown to anyone outside your organization, nor is it to be reproduced, copied, photographed, exhibited or used in any fashion without the express written permission of Santa Cruz Signs.

The colors shown in this layout are not intended to match customer's final printed product.





STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT

DATE: MAY 2, 2019

SUBJECT: **115 San Jose Avenue** **#19-0140** **APN: 035-221-19**

Conditional Use Permit for a take-out restaurant (pizzeria) located within the Capitola Mercantile in the C-V (Central Village) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: Peter Dwares

Representative: Dennis Norton, Filed: 03.28.2019

APPLICANT PROPOSAL

The applicant is proposing to convert a 1,001-square-foot commercial space (#111) in the Capitola Mercantile into a take-out restaurant (pizzeria) with six seats or less.

BACKGROUND

The property is centrally located within the Central Village. The Capitola Mercantile contains 11 commercial tenant spaces, totaling 8,735 square feet, along San Jose Avenue and Esplanade. The occupied spaces in the Capitola Mercantile are currently a mix of retail and restaurant establishments. The commercial space for the proposed pizzeria was previously occupied by "Off the Block Snow Cream and Bubble Tea." The prior establishment did not have a conditional use permit for a to-go restaurant.

DISCUSSION

Under Capitola Municipal Code §17.21.060(A), take-out restaurants are listed as a conditional use, therefore a conditional use permit is required for this project. The proposed restaurant is a pizzeria called "Pizzeria La Bufala." The proposed business hours are 9:00 a.m. to 10:00 p.m. daily. The restaurant owners have an existing location in the Abbott Square Market in downtown Santa Cruz. The take-out restaurant use shall be limited to 6 seats to ensure no intensification of use and not require additional parking.

Conditional Use Permit

The applicant is requesting approval of a conditional use permit (CUP) for a take-out restaurant with six seats or less. In considering an application for a CUP, the Planning Commission must give due regard to the nature and condition of all adjacent uses and structures. The municipal code lists additional requirements and review criteria for some uses within the CUP consideration (§17.60.030). There are no additional requirements for a take-out restaurant

within the ordinance. In issuing the CUP, the Planning Commission may impose requirements and conditions with respect to location, design, siting, maintenance and operation of the use as may be necessary for the protection of the adjacent properties and in the public interest. The project has been conditioned to limit the to-go restaurant to six seats to ensure that the use of the site is not intensified and parking demand is not increased.

Parking Analysis

The following table includes the current uses in the Capitola Mercantile and the required parking. Six tenant spaces are currently vacant. Staff assumed the vacant spaces in the building are to be used for retail, bakeries, or restaurants/take-out food establishments with the requirement of one parking space per 240 square feet. In total, the parking requirement for the Capitola Mercantile is 44 parking spaces.

Capitola Mercantile – Uses and Parking Requirements				
Space #	Current Use	Sq. Ft.	Parking Requirement	Spaces Required
101	To-Go Restaurant	324	1 per 240 sq. ft.	1.4
102	Vacant (Formerly Retail)	634	1 per 240 sq. ft.	2.6
103	Vacant (Formerly Retail)	189	1 per 240 sq. ft.	0.8
104	Vacant (Formerly Retail)	313	1 per 240 sq. ft.	1.3
105	Retail	974	1 per 240 sq. ft.	4.0
106	Vacant (Formerly Retail)	451	1 per 240 sq. ft.	1.9
107	Vacant	314	1 per 240 sq. ft.	1.3
108	Retail	768	1 per 240 sq. ft.	3.2
109	Restaurant	578	1 per 60 sq. ft.	9.6
110	Restaurant	877	1 per 60 sq. ft.	14.6
111	Vacant (Proposed To-Go Restaurant)	1,001	1 per 240 sq. ft.	4.2
Apartment	Residential	-	2 spaces	2
Total		8,735		43.7

The site plan submitted with the application shows 41 parking spaces on the site plus two that are not numbered, for a total of 43 parking spaces (Attachment 1). However, a site visit revealed that eight of those spaces are non-existent (spaces 1, 2, 41, 28, 12, 40, 37, and 38), which brings the number of existing spaces down to 35. Staff has determined that some spaces were removed in order to create outdoor seating areas (spaces 1, 2, 41, 28, 12, and 40), but the removal/conversion of those parking spaces was never approved as part of a planning permit. In addition, two of the parking spaces (37 and 38) were not constructed.

The last conditional use permit for a business in the Capitola Mercantile, which permitted the conversion of Caruso's restaurant from a take-out restaurant with six seats or less into a full restaurant use (Permit #05-035), was approved in 2005 based on the existence of 41 on-site parking spaces. That use change should have required an additional four parking spaces (45 total) to be provided on-site, but the Planning Commission determined that the uses in the Capitola Mercantile had different peak times in terms of parking usage, and therefore made findings that the 41 existing on-site parking spaces were adequate.

Staff recommends requiring the owner to provide 41 onsite parking spaces prior to issuance of a building permit and/or business license for the proposed project. This will bring the existing CUP for Caruso's restaurant into compliance and allow the proposed Pizzeria. The requirement to provide 41 onsite parking spaces is included as Condition #2 of the Conditions of Approval.

CEQA

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

RECOMMENDATION

Staff recommends the Planning Commission approve application #19-0140, subject to the following conditions and based upon the following findings:

CONDITIONS OF APPROVAL

1. The project approval consists of a Conditional Use Permit for a 1,001-square-foot take-out restaurant with six seats or less. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on May 2, 2019, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Prior to issuance of a building permit, business license, and/or Certificate of Occupancy for the to-go restaurant, the site shall have 41 on-site parking spaces. A parking plan must be submitted to the City for approval by the Public Works Director and Community Development Director.
3. There shall be no amplified audible entertainment inside the business that can be audible outside of the business.
4. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans.
5. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
6. At time of submittal for building permit review, Public Works Standard Detail SMP STRM shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.
7. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
8. Prior to issuance of building permit, all Planning fees associated with permit #19-0140 shall be paid in full.
9. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.

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

FINDINGS

- A. The project, subject to the conditions imposed, secures the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The proposed to-go restaurant complies with the development standards of the C-V District. The project secures the purpose of the Zoning Ordinance, General Plan, and Local Coastal Plan
- B. The project will maintain the character and integrity of the neighborhood.**
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the application for the to-go restaurant. The use will fit in nicely with the surrounding commercial uses. The project will maintain the character and integrity of the neighborhood.

C. This project is categorically exempt under Section 15301 of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.

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

This project involves the conversion of existing commercial space into a to-go restaurant within the C-V (Central Village) zoning district. No adverse environmental impacts were discovered during review of the proposed project.

ATTACHMENTS:

1. 115 San Jose Avenue - Full Plan Set - 03.22.2019
2. 115 San Jose Avenue - La Bufala - Business Introduction Letter

Prepared By: Matt Orbach
Associate Planner

CAPITOLA MERCANTILE SPACES 102, 104 & 106

GENERAL NOTES

- ALL WORKS TO BE DONE IN ACCORDANCE WITH THE 2018 CALIFORNIA BUILDING, FIRE MECHANICAL, AND ELECTRICAL CODES AND THE CURRENT EDITION OF THE CALIFORNIA INTERNATIONAL BUILDING CODE (IBC), THE CALIFORNIA ELECTRICAL CODE AND THE CALIFORNIA MECHANICAL CODE, AND ALL APPLICABLE ORDINANCES, REGULATIONS AND REQUIREMENTS OF THE APPLICABLE AGENCIES.
- THE CONTRACTOR SHALL VERIFY ALL INFORMATION IN THE DRAWINGS AND SHALL NOTIFY THE ARCHITECT IMMEDIATELY IN WRITING OF ANY DISCREPANCIES, OMISSIONS, CONFLICTS, OR INCONSISTENCIES.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES.
- THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL EXISTING UTILITIES AND SERVICES AT ALL TIMES.
- IF WORK IS TO BE DONE IN AN UNOCCUPIED AREA, THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL EXISTING UTILITIES AND SERVICES AT ALL TIMES.
- THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL EXISTING UTILITIES AND SERVICES AT ALL TIMES.
- THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL EXISTING UTILITIES AND SERVICES AT ALL TIMES.
- THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL EXISTING UTILITIES AND SERVICES AT ALL TIMES.
- THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL EXISTING UTILITIES AND SERVICES AT ALL TIMES.
- THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL EXISTING UTILITIES AND SERVICES AT ALL TIMES.
- THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL EXISTING UTILITIES AND SERVICES AT ALL TIMES.
- THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL EXISTING UTILITIES AND SERVICES AT ALL TIMES.
- THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL EXISTING UTILITIES AND SERVICES AT ALL TIMES.
- THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL EXISTING UTILITIES AND SERVICES AT ALL TIMES.
- THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL EXISTING UTILITIES AND SERVICES AT ALL TIMES.
- THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL EXISTING UTILITIES AND SERVICES AT ALL TIMES.

ABBREVIATIONS & SYMBOLS

SYMBOL	ABBREVIATION	DESCRIPTION
10X	TOP OF SLAB	TOP OF SLAB
15X	TOP OF BEAM	TOP OF BEAM
12X	TOP OF CHASE	TOP OF CHASE
18X	TOP OF OVERHEAD	TOP OF OVERHEAD
24	ROOM NUMBER	ROOM NUMBER
31	DOOR REFERENCE	DOOR REFERENCE
32	WINDOW REFERENCE	WINDOW REFERENCE
33	DETAIL REFERENCE	DETAIL REFERENCE

VICINITY MAP



LEGEND OF SHEETS

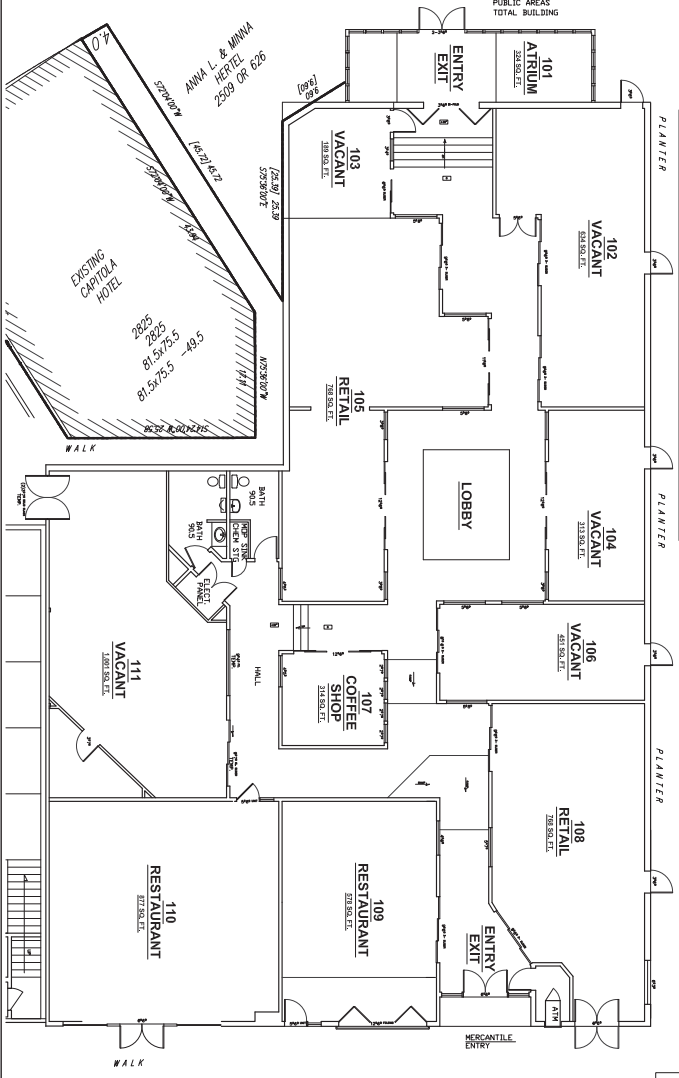
PAGE	TITLE
1	COVER SHEET PROJECT DATA
2	EXISTING & PROPOSED FLOOR PLAN W/ELECTRICAL

OCCUPANT LOAD CALCULATION

SPACE	AREA	LOAD	LOAD	LOAD
NO.	(SQ. FT.)	(PSF)	(TOTAL)	(TOTAL)
101	300	15	4,500	1,875
102	600	30	18,000	7,350
103	100	30	3,000	1,225
104	300	30	9,000	3,675
105	100	30	3,000	1,225
106	300	30	9,000	3,675
107	100	30	3,000	1,225
108	300	30	9,000	3,675
109	100	30	3,000	1,225
110	600	30	18,000	7,350
111	300	30	9,000	3,675
TOTAL	2,200	30	66,000	27,000

PROJECT CONSULTANTS:
 ARCHITECT: DENNIS NORTON HOME DESIGN AND PROJECT PLANNING
 ELECTRICAL: [Firm Name]
 MECHANICAL: [Firm Name]

DATE: 03/21/19
SCALE: AS SHOWN
PROJECT NO.: 19-001



COVER SHEET PROJECT DATA

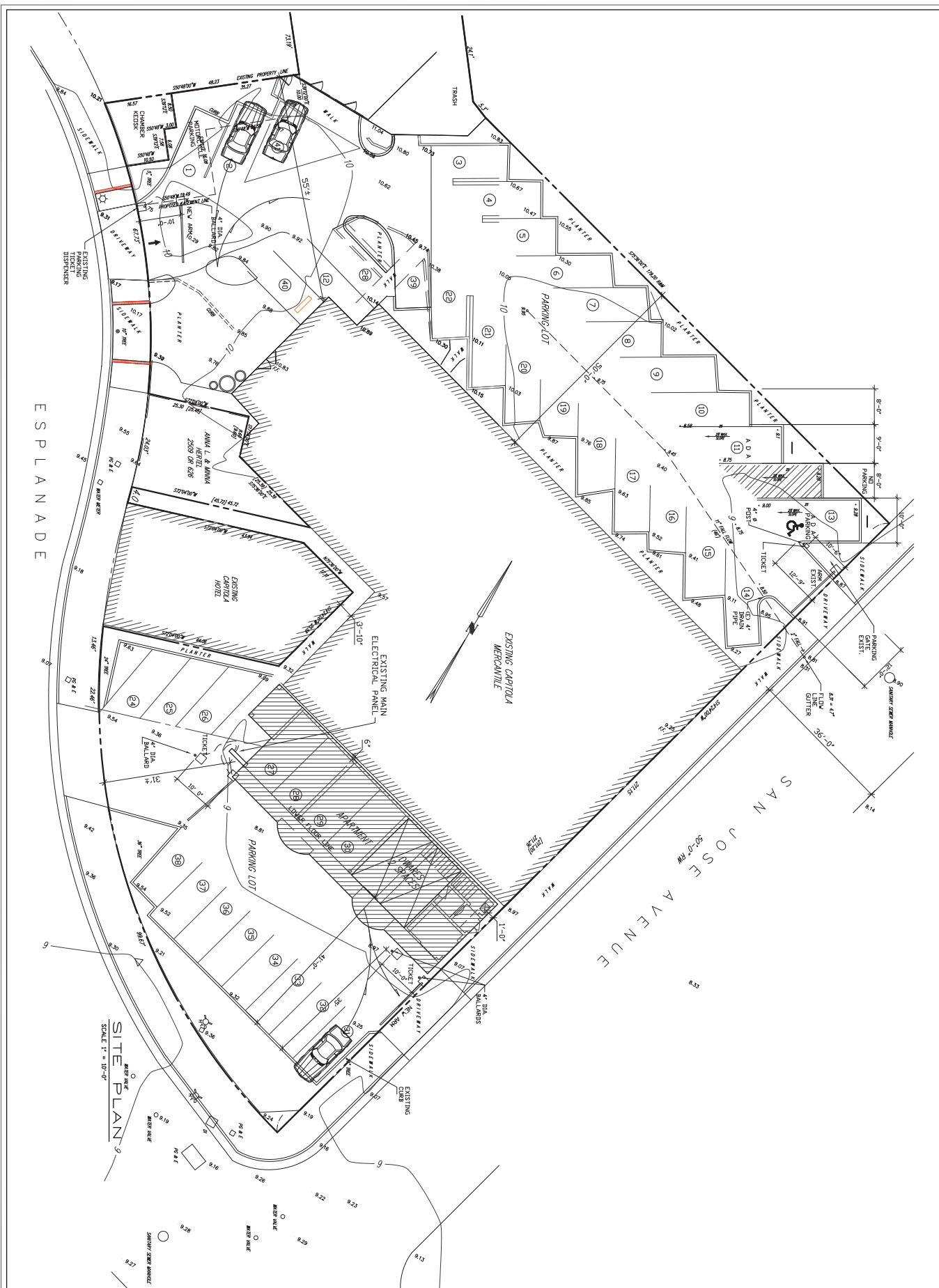
DRAWN: CG
 CHECKED: JON W. MERC 102
 DATE: 03/21/19
 SHEET: 1 OF 4 SHEETS

DENNIS NORTON
 HOME DESIGN AND PROJECT PLANNING

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

GAME ROOMS
 CAPITOLA MERCANTILE 115 SAN JOSE AV
 CAPITOLA, CA 95010 STE 102,104,106
 APN 035-221-27

PERMIT NO. 19-001
 115 SAN JOSE AV
 CAPITOLA, CA 95010



ESPLANADE

SAN JOSE AVENUE

SITE PLAN
SCALE 1" = 10'-0"

DATE	03/21/19
JOB NO.	MERC 102
SCALE	1" = 10'-0"
DRWING	GG

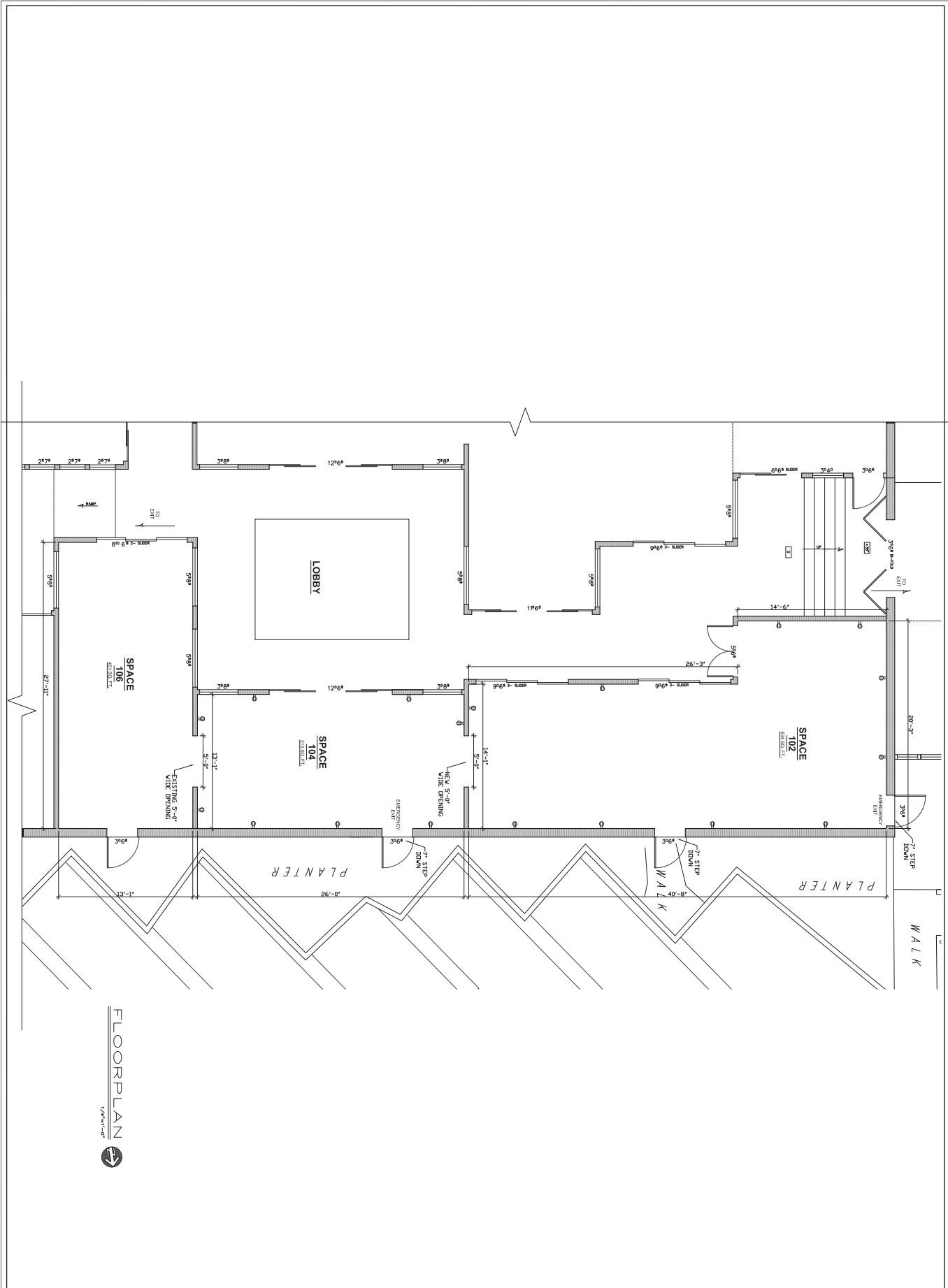
SITE PLAN

DENNIS NORTON
HOME DESIGN AND PROJECT PLANNING

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

GAME ROOMS
CAPITOLA MERCANTILE 115 SAN JOSE AV
CAPITOLA, CA 95010 SPACES 102,104,106
APN 035-221-27

OWNER	DENNIS NORTON
DESIGNER	DENNIS NORTON
DATE	03/21/19
PROJECT	GAME ROOMS
SHEET	2



FLOORPLAN
1/4"=1'-0"

SHEET
3
SHEETS

DATE: 03/21/19
JOB NO. MERC 102
SCALE: 1/4"=1'-0"

EXIST. & PROPOSED FLOORPLAN W/ELECT.

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

GAME ROOMS
CAPITOLA MERCANTILE 115 SAN JOSE AV
CAPITOLA, CA 95010 SPACES 102,104,106
APN 035-221-27

OWNER	DATE
DESIGNED BY	
CHECKED BY	
DATE	
REVISIONS	



Santa Cruz, April 15th 2019

Capitola City Council
420 Capitola Avenue
Capitola, CA 95010

Costanza & Costanza Corp.
110 Riverview Street
Santa Cruz, CA 95062

To Whom it May Concern:

The purpose of this letter is to inform you about our intention to open a Pizzeria / Caffè in the Capitola Village, at 115 San Jose Avenue # 111, Capitola, CA 95010. Business opening hours will be from 9:00 am till 10:00 pm daily.

With over 20 years experience in the restaurant business (Star Bene Restaurant - Santa Cruz & Ristorante Da Mario - Saratoga), we are thrilled with the prospect of serving the Capitola community with Southern Italian dishes already savored at our pizzeria located in Santa Cruz – Pizzeria La Bufala (www.pizzerialabufala.com)

Do not hesitate to contact us for any further information you may need.

Sincerely,

Sandro Costanza
669 231-9014

Luciana Costanza
831 454-6200

Attachment: 115 San Jose Avenue - La Bufala - Business Introduction Letter (115 San Jose Avenue - Pizzeria)



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT

DATE: MAY 2, 2019

SUBJECT: **115 San Jose Avenue** **#19-0134** **APN: 035-221-18**

Conditional Use Permit for a gaming arcade located within the C-V (Central Village) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: Peter Dwares

Representative: Dennis Norton, Filed: 03.22.2019

APPLICANT PROPOSAL

The applicant is proposing to convert three commercial spaces (102, 104, & 106), totaling 1,390 square feet, in the Capitola Mercantile into a gaming arcade with approximately 20-30 game machines.

BACKGROUND

The property is centrally located within the Central Village. The Capitola Mercantile contains 11 commercial tenant spaces, totaling 8,735 square feet, along San Jose Avenue and Esplanade. The occupied spaces in the Capitola Mercantile are currently a mix of retail and restaurant establishments.

DISCUSSION

The three commercial spaces were previously occupied by retail shops. The proposal is for an arcade with 20-30 games and a card machine. The games will take pre-loaded cards, not coins or bills, provided by the card machine. The arcade will be overseen by an on-site manager who will repair games and answer questions. The proposed business hours are 10:00 a.m. to 6:00 p.m. in the winter and 10:00 a.m. to 9:00 p.m. in the summer, seven days a week.

Conditional Use Permit

The applicant is requesting approval of a conditional use permit (CUP) for a gaming arcade. In considering an application for a CUP, the Planning Commission must give due regard to the nature and condition of all adjacent uses and structures. The municipal code lists additional requirements and review criteria for some uses within the CUP consideration (§17.60.030). There are no additional requirements for a gaming arcade within the ordinance. In issuing the CUP, the Planning Commission may impose requirements and conditions with respect to location, design, siting, maintenance and operation of the use as may be necessary for the

protection of the adjacent properties and in the public interest and to ensure that the use of the site is not intensified and parking demand is not increased.

Parking Analysis

The following table includes the current uses in the Capitola Mercantile and the required parking. Six tenant spaces are currently vacant. Staff assumed the vacant spaces in the building are to be used for retail, bakeries, or restaurants/take-out food establishments with the requirement of one parking space per 240 square feet. In total, the parking requirement for the Capitola Mercantile is 44 parking spaces.

Capitola Mercantile – Uses and Parking Requirements				
Space #	Current Use	Sq. Ft.	Parking Requirement	Spaces Required
101	To-Go Restaurant	324	1 per 240 sq. ft.	1.4
102	Vacant (Formerly Retail)	634	1 per 240 sq. ft.	2.6
103	Vacant (Formerly Retail)	189	1 per 240 sq. ft.	0.8
104	Vacant (Formerly Retail)	313	1 per 240 sq. ft.	1.3
105	Retail	974	1 per 240 sq. ft.	4.0
106	Vacant (Formerly Retail)	451	1 per 240 sq. ft.	1.9
107	Vacant	314	1 per 240 sq. ft.	1.3
108	Retail	768	1 per 240 sq. ft.	3.2
109	Restaurant	578	1 per 60 sq. ft.	9.6
110	Restaurant	877	1 per 60 sq. ft.	14.6
111	Vacant (Proposed To-Go Restaurant)	1,001	1 per 240 sq. ft.	4.2
Apartment	Residential	-	2 spaces	2
Total		8,735		43.7

A parking analysis for the proposed project was conducted by Kimley-Horn (Attachment 2). According to their technical memorandum, the proposed video arcade use is expected to generate less net vehicle trips than the existing retail component that would be replaced. Since the proposed arcade use would be less intense than the existing retail use, it is anticipated that the project would not significantly impact the existing parking condition.

The site plan submitted with the application shows 41 parking spaces on the site plus two that are not numbered, for a total of 43 parking spaces (Attachment 1). However, a site visit revealed that eight of those spaces are non-existent (spaces 1, 2, 41, 28, 12, 40, 37, and 38), which brings the number of existing spaces down to 35. Staff has determined that some spaces were removed in order to create outdoor seating areas (spaces 1, 2, 41, 28, 12, and 40), but the removal/conversion of those parking spaces was never approved as part of a planning permit. In addition, two of the parking spaces (37 and 38) were not constructed.

The last conditional use permit for a business in the Capitola Mercantile, which permitted the conversion of Caruso's restaurant from a take-out restaurant with six seats or less into a full restaurant use (Permit #05-035), was approved in 2005 based on the existence of 41 on-site parking spaces. That use change should have required an additional four parking spaces (45 total) to be provided on-site, but the Planning Commission determined that the uses in the Capitola Mercantile had different peak times in terms of parking usage, and therefore made findings that the 41 existing on-site parking spaces were adequate.

Staff recommends requiring the owner to provide 41 onsite parking spaces prior to issuance of a building permit and/or business license for the proposed project. This will bring the existing CUP for Caruso's restaurant into compliance and allow the proposed gaming arcade. The requirement to provide 41 onsite parking spaces is included as Condition #2 of the Conditions of Approval.

CEQA

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

RECOMMENDATION

Staff recommends the Planning Commission approve application #19-0134, subject to the following conditions and based upon the following findings:

CONDITIONS OF APPROVAL

1. The project approval consists of a Conditional Use Permit for a 1,390-square-foot gaming arcade with 20-30 machines. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on May 2, 2019, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Prior to issuance of a building permit, business license, and/or Certificate of Occupancy for the to-go restaurant, the site shall have 41 on-site parking spaces. A parking plan must be submitted to the City for approval by the Public Works Director and Community Development Director.
3. There shall be no amplified audible entertainment inside the business that can be audible outside of the business.
4. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans.
5. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
6. At time of submittal for building permit review, Public Works Standard Detail SMP STRM shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.
7. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
8. Prior to issuance of building permit, all Planning fees associated with permit #19-0134 shall be paid in full.

9. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
10. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
11. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
12. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
13. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
14. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
15. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
16. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.

FINDINGS

- A. The project, subject to the conditions imposed, secures the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The proposed gaming arcade complies with the development standards of the C-V District. The project secures the purpose of the Zoning Ordinance, General Plan, and Local Coastal Plan
- B. The project will maintain the character and integrity of the neighborhood.**

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the application for the gaming arcade. The use will fit in nicely with the surrounding commercial uses. The project will maintain the character and integrity of the neighborhood.

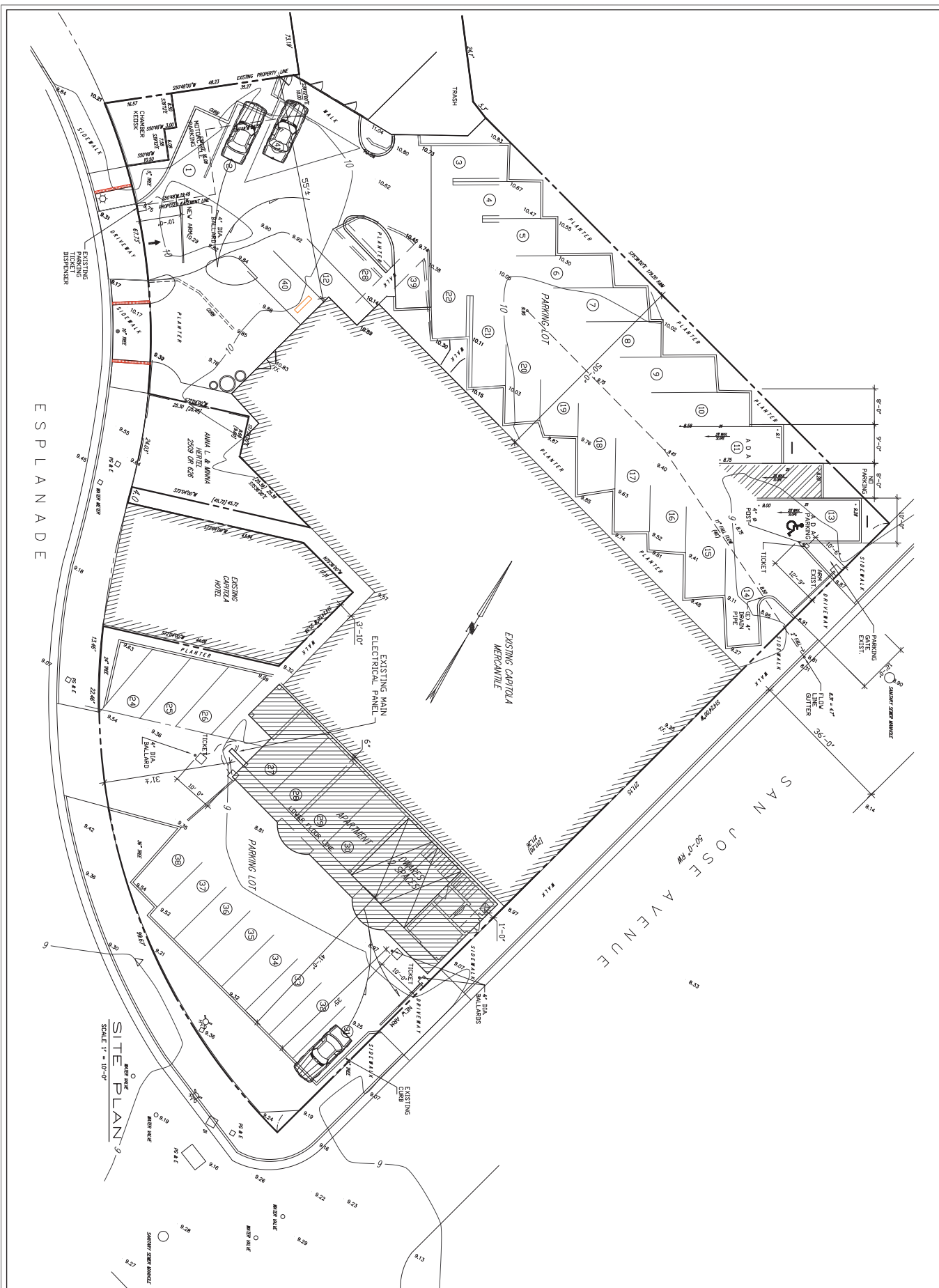
C. This project is categorically exempt under Section 15301 of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.

Section 15301 of the CEQA Guidelines exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. This project involves the conversion of existing retail space into a gaming arcade within the C-V (Central Village) zoning district. No adverse environmental impacts were discovered during review of the proposed project.

ATTACHMENTS:

1. 115 San Jose Avenue - Arcade - Full Plan Set - 03.22.2019
2. 115 San Jose Avenue - Arcade Parking Requirement Determination Memo - Kimley-Horn

Prepared By: Matt Orbach
Associate Planner



ESPLANADE

SAN JOSE AVENUE

SITE PLAN 9
SCALE 1" = 10'-0"

OF 4 SHEETS

2

DATE: 03/21/19
 JOB NO: MERC 102
 SCALE: 1" = 10'-0"
 DRAWN: GG

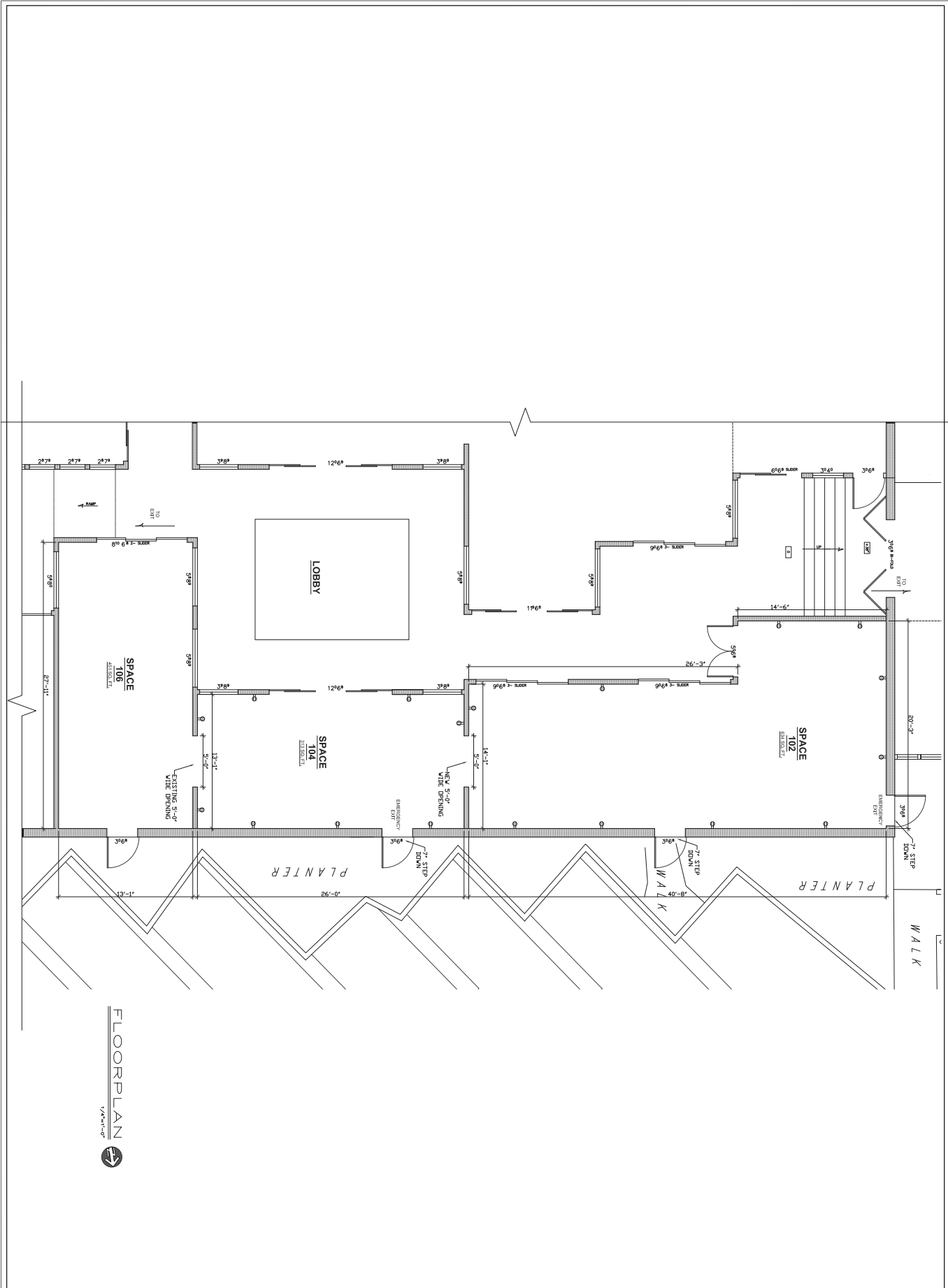
SITE PLAN

DENNIS NORTON
 HOME DESIGN AND PROJECT PLANNING

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

GAME ROOMS
 CAPITOLA MERCANTILE 115 SAN JOSE AV
 CAPITOLA, CA 95010 SPACES 102,104,106
 APN 035-221-27

OWNER:	DENNIS NORTON
DESIGNER:	DENNIS NORTON
CHECKED BY:	DENNIS NORTON
DATE:	03/21/19



FLOORPLAN
1/4"=1'-0"

SHEET
3
SHEETS

DATE: 03/21/19
JOB NO. MERC 102
SCALE: 1/4"=1'-0"

EXIST. & PROPOSED FLOORPLAN W/ELECT.

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

GAME ROOMS
CAPITOLA MERCANTILE 115 SAN JOSE AV
CAPITOLA, CA 95010 SPACES 102,104,106
APN 035-221-27

REVISIONS	DATE	BY

TECHNICAL MEMORANDUM

To: Katie Herlihy, City of Capitola Community Development Director
Matt Orbach, City of Capitola Associate Planner

From: Frederik Venter and Derek Wu, Kimley-Horn and Associates, Inc.

Date: April 22, 2019

Re: **115 San Jose Avenue – Capitola Mercantile Parking Study (Project #19-0134)**

This technical memorandum provides a parking analysis for the proposed 115 San Jose Avenue development in Capitola, California. The project consists of redeveloping approximately 1,398 square-feet of existing retail into a video game arcade located in the C-V (Central Village) zoning district. Based on the proposed site plan provided by the applicant, tenant space #102, #104, and #106 would be improved to hold up to 30 video gaming machines managed by one onsite employee during normal business hours. The existing parking spaces and parking requirements for the Capitola Mercantile site will remain the same.

Trip generation and parking for the proposed project was calculated using trip generation rates from the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 10th Edition*. Daily, AM, and PM peak hour trips for the project was calculated with average trip rates. ITE's Shopping Center (820) trip rate was assumed for the 1,398 square-feet of mixed retail use that would be replaced by the project. Due to limited trip rate data, vehicle trips for the proposed project was conservatively estimated based on ITE's Multipurpose Recreational Facility (435) trip rate which includes video arcade use combined with other entertainment uses. In addition, a vehicle trip reduction of 25% was applied to the proposed arcade to account for the land use attracting patrons such as kids and young adults that would access the project by walking, biking, or using public transit.

A summary of the proposed trip generation and trip reductions for the project is shown below. The proposed video arcade use is expected to generate less net vehicle trips than the existing retail component that would be replaced. Since the proposed arcade use would be less intense than the existing retail use, it is anticipated that the project would not significantly impact the existing parking condition. The Coastal Commission's existing parking space requirement of one (1) vehicle space per 240 square-foot of retail use would be acceptable for the proposed video arcade.

LAND USE / DESCRIPTION	PROJECT SIZE	TOTAL DAILY TRIPS	AM PEAK TRIPS			PM PEAK TRIPS		
			TOTAL	IN	OUT	TOTAL	IN	OUT
Trip Generation Rates (ITE 10th Edition)								
Shopping Center [ITE 820]	Per KSF	37.75	0.94	62%	38%	3.81	48%	52%
Multipurpose Recreational Facility [ITE 435]	Per KSF	0.00	0.00	0%	0%	3.58	45%	55%
115 San Jose - Capitola Mercantile								
Proposed Video Game Arcade	1.398 KSF	0	0	0	0	5	2	3
Ped, bike, transit mode-share from project patrons	-25%	0	0	0	0	(2)	(1)	(1)
Existing trip credit for retail use	-1.398 KSF	(48)	(2)	(1)	(1)	(5)	(2)	(3)
Final Project Vehicle Trips		-48	-2	-1	-1	-2	-1	-1



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT

DATE: MAY 2, 2019

SUBJECT: **523 Burlingame Avenue** **#18-0508** **APN: 035-094-34**

Tentative Parcel Map to divide one parcel into three. Two parcels on Burlingame Ave with a Design Permit for a single-family home on each and one driveway width exception request for perpendicular parking in front yard within the R-1 (Single-Family) zoning district. One parcel on Capitola Avenue with a Design Permit and Conditional Use Permit for a fourplex located within the C-N (Neighborhood Commercial) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: Matthew Howard and John Howard

Representative: Daniel Gomez, Fuse Architecture, Filed: 09.20.2018

APPLICANT PROPOSAL

The applicant is proposing a subdivision of one existing parcel into three parcels, with two new single-family homes located at 523 and 525 Burlingame Avenue within the R-1 (Single-Family Residential) zoning district and a fourplex at 524 Capitola Avenue in the C-N (Neighborhood Commercial) zoning district. The proposed single-family home at 523 Burlingame Avenue (House #2) requires approval of a Design Permit and complies with all of the development standards for the R-1 zone. The proposed single-family home at 525 Burlingame Avenue (House #1) requires approval of a Design Permit and a driveway width exception to allow a parking space parallel to the street in the front yard setback, but otherwise complies with the development standards for the R-1 zone. The proposed fourplex at 524 Capitola Avenue requires approval of a Design Permit and a Conditional Use Permit for multi-family housing and complies with all of the development standards for the C-N zone.

BACKGROUND

The parcel being subdivided was previously occupied by the Golden Age Convalescent Hospital, which was demolished in 2018.

On February 13, 2019, the Architectural and Site Review Committee reviewed the application and provided the applicant with direction on the proposed development on each parcel, which is included within the discussion section of the report.

Subdivision/Tentative Parcel Map Analysis

The application includes a tentative parcel map dividing the existing parcel into three parcels. There is a zone change between the parcel on Capitola Avenue and the two parcels on Burlingame Avenue. At 524 Capitola Avenue, an 8,000-square-foot lot (Parcel A) is proposed within the C-N zone. The proposed lot measures 80 feet wide by 100 feet deep. At 523 and 525 Burlingame Avenue, two 5,000 square foot lots (Parcel B & Parcel C) are proposed within the R-1 zone. The two lots measure 50 feet wide by 100 feet deep. The application complies with the lot design requirements from Capitola Municipal Code Title 16 – Subdivisions, Chapter 16.24 – Design Standards, as follows:

16.24.170 Lot design.

A. The size and shape of lots shall be in conformance to any zoning regulations effective in the area of the proposed subdivision unless an exception is granted by the planning commission pursuant to subsection H of this section.

Staff Analysis: The size and shape of the three lots are in conformance with the zoning regulations. The two lots at 523 and 525 Burlingame Avenue comply with the 5,000-square-foot minimum lot size requirement of the R-1 zone. For the property at 524 Capitola Avenue located within the CN zone, there is no minimum lot size requirement other than that “there shall be sufficient area to satisfy any off-street parking and loading area requirements.” The proposed fourplex on the 8,000 square foot lot at 524 Capitola Avenue complies with the off-street parking requirements.

B. The side lines of all lots, so far as possible, shall be at right angles to the street which the lot faces, or radial or approximately radial if the street is curved.

Staff Analysis: The side lines of all lots are at right angles to the street which the lots face.

C. The Planning Commission may require that building setback lines shall be indicated by dotted lines on the subdivision map.

Staff Analysis: Building setback lines are not currently indicated by dotted lines on the tentative parcel map. The proposed structures comply with the required setbacks of the relative zone.

D. No lot shall be divided by a city boundary line.

Staff Analysis: The three new lots are not divided by any city boundary lines.

E. Lots without twenty feet or more of frontage on a street will not be permitted. Frontage requirements for flag lots may be satisfied by a driveway or private road accessing a street of twenty feet in width or more.

Staff Analysis: The three lots each have more than twenty feet of frontage on a street.

F. Lots other than corner lots may front on more than one street where necessitated by topographic or other unusual conditions.

Staff Analysis: None of the lots are corner lots.

G. In riparian corridors no lots may be created which do not contain adequate building area outside the riparian or stream setback. (See Chapter 17.95 of this code.)

Staff Analysis: The three lots are not located in riparian corridors.

H. With the exception of minimum lot size requirements or subsections D and G of this section, the Planning Commission or the City Council may grant an exception to one or more of the design standards if they find that strict conformance is impractical due to the site's physical, topographic, or geometric conditions or if it would result in an undesirable or inferior subdivision design.

Staff Analysis: The three lots comply with all subdivision design standards.

DISCUSSION

The discussion section of the staff report is separated into three sections, one section for each proposed lot and associated development.

House #1: 525 Burlingame Avenue

The applicant is proposing a 2,991-square-foot single-family home with a 292-square-foot attached accessory dwelling unit (ADU) at 525 Burlingame Avenue. The applicant is seeking a driveway width exception to accommodate a parking space in the front yard. The site is adjacent to Dignity Health Medical Group Dominican to the north, the proposed single-family home at 523 Burlingame Avenue to the south, and the proposed fourplex apartments at 524 Capitola Avenue to the west.

Architecture & Site Review Committee

On February 13, 2019, the Architecture and Site Review Committee provided the following direction:

Public Works, Kailash Mozumder: informed the applicant that there are different stormwater requirements for large sites, and that the different parcels included in a subdivision and development project must be brought forward to the Planning Commission together. He explained to the applicant that updated plans will be required to go to a third-party review prior to a public hearing before the Planning Commission. He requested that the applicant show flow lines and/or the edge of pavement in the public right of way on the plans.

Building Official, Robin Woodman: provided written comments. Building Inspector Nelson Membreno informed the applicant that the occupancy listed on the cover sheet should be R-3.

Local Architect, Frank Phanton: liked the materials and pointed out that the cube-shaped areas transition well from the residential area to the adjacent commercial building. Mr. Phanton stated that he did not support the parking arrangement, with the fourth required parking spot perpendicular to the tandem spaces behind the garage. He asked where the edge of paving was and asked the applicant to show that on the plans. He also suggested that the applicant provide a larger landscaped buffer area between the perpendicular parking space and the street because there was not a lot of landscaping in the front yard.

City Planner, Matt Orbach: informed the applicant that the driveway width exception could not be supported by City staff. He explained that parking spaces in the front yard that are perpendicular to the street are commonly asked for and discouraged by staff. Mr. Orbach pointed out that in a situation like this, when a project is being proposed on a new lot being created by a subdivision, the project can and should be designed in a way

that provides the required parking in a configuration that complies with the municipal code, such as by providing a two-car garage with two tandem parking spaces behind it.

Development Standards

The new development at 525 Burlingame Avenue is required to comply with the development standards of the R-1 zone. The analysis for the proposed single-family home with attached ADU relative to the R-1 development standards is included in a table as Attachment 7. The proposed single-family home with ADU complies with all the development standards of the R-1 zone except for the maximum driveway width.

Driveway Width Exception

The applicant has requested a driveway width exception to allow the fourth required parking space to be located perpendicular to the two tandem spaces in the driveway (Attachment 4). CMC §17.15.140(F) states that “driveway width for residential uses (in the R-1 zone) shall not exceed twenty feet unless an exception is granted by the Planning Commission due to unusual lot configuration, landscaping or site design considerations,” and that “permeable paving materials, and/or paving strips are encouraged for parking and driveway areas.” The 2,991-square-foot home is required to have four parking spaces, one of which must be covered. Due to the proposed third uncovered parking space being located perpendicular to the two parking spaces behind the garage, the driveway width is 40 feet for a 10-foot segment of the driveway, resulting in 80 percent of the width of the front yard being utilized for parking. There are no special circumstances related to unusual lot configuration, landscaping, or site design that would justify a driveway width exception. The two parking spaces are proposed as impermeable paved areas and parking spot four is described on the landscape plan as “loose gravel aggregate.” The project could have been designed to incorporate four parking spaces without a space located in the front yard along a residential street.

Design Permit

The proposed two-story, single-family home with ADU exhibits contemporary design features along with organic accents to incorporate the new development into the Burlingame Avenue streetscape. The front of the home features modern architectural elements including natural wood accents, white/cream color stucco, and large bay windows with bronze anodized aluminum frames. The ground floor main entry of the home is tucked away under the massing of the second level of the structure and is articulated by an architectural wood soffit that provides a protected front porch entry. The awning, paired with the material transitions, differentiate the overall architectural massing of the building structure. Manicured landscaping is incorporated along the front, sides, and rear of the building.

House #2: 523 Burlingame Avenue

The applicant is proposing a 2,488-square-foot single-family home at 523 Burlingame Avenue. No ADU is proposed. The proposed residence is sited adjacent to the proposed single-family home at 525 Burlingame Avenue to the north, an existing single-family home at 521 Burlingame Avenue to the south, and the proposed fourplex apartments at 524 Capitola Avenue to the west.

Architecture & Site Review Committee

On February 13, 2019, the Architecture and Site Review Committee provided the following direction:

Public Works, Kailash Mozumder: asked the applicant to show the flow line at the edge of pavement and stated that the existing flow line should be maintained.

Building Official, Robin Woodman: provided written comments. Building Inspector Nelson Membreno informed the applicant that the occupancy listed on the cover sheet should be R-3.

Local Architect, Frank Phanton: stated that he liked the design because it was a good combination of modern and traditional elements, but he requested that the footprint on Sheet A1.4 be darkened so that it popped out more because it was difficult to see where the footprint of the house was versus design features such as the trellis.

City Planner, Matt Orbach: provided the applicant with several minor clean-up items on the plans.

Development Standards

The analysis for the proposed single-family home at 523 Burlingame Avenue relative to the R-1 development standards is included in a table as Attachment 8. The proposed home complies with all of the development standards of the R-1 zone.

Design Permit

The proposed two-story, single-family residence exhibits contemporary design features including natural wood, white stucco, and dark anodized bronze accents. The front façade of the home is articulated with a small bronze-colored trellis and bronze anodized garage door to break up the white stucco façade while incorporating more traditional architectural details add providing an inviting approach from the main driveway. Bleached white cedar will be incorporated in various areas to enclose soffits. The home has a flat roof on the ground floor level, which is clad with vertically set natural cedar to express a modern aesthetic. The second level exhibits a sloped gable roof line with minimal eaves, introducing a modern touch to a more traditional architectural detail. The second level includes a partially cantilevered covered deck that sits above the ground level patio at the rear of the home, creating a small covered area for outdoor dining.

#3 Fourplex Apartments: 524 Capitola Avenue

The applicant is proposing a 5,340-square-foot fourplex apartment building at 524 Capitola Avenue. The four apartments are relatively small, measuring 633, 633, 728, and 742 square feet each. The proposed fourplex is sited adjacent to Dignity Health Medical Group Dominican to the north, a commercial office building at 522 Capitola Avenue to the south, and the proposed single-family homes at 523 and 525 Burlingame Avenue to the east.

Architecture & Site Review Committee

On February 13, 2019, the Architecture and Site Review Committee provided the following direction:

Public Works, Kailash Mozumder: informed the applicant that City staff will contact the neighbor at 528 Capitola Avenue to discuss possible connectivity where the new sidewalk along Capitola Avenue ends. If the neighbor is not interested in installing curb, gutter, and sidewalk, the City will install an ADA accessible ramp where the sidewalk ends. Mr. Mozumder also pointed out that the sidewalk as designed is ADA compliant.

Building Official, Robin Woodman: provided written comments. Building Inspector Nelson Membreno informed the applicant that the occupancy listed on the cover sheet should be R-2 and that the open risers on the exterior stairway are prohibited under the California Building Code (CBC). In addition, because there are four apartment units, one unit must provide (or be adaptable to) ADA accessibility standards, and that all

accessible features, such as parking, pathway to entry, bathroom, kitchen, and garage, must be clearly shown on the plans.

Local Architect, Frank Phanton: informed the applicant that he would have preferred parking located on the side or rear of the building rather than along the street frontage, but other than that he liked the architectural design features of the building.

City Planner, Matt Orbach: asked the applicant to show which garages are designated for which apartments on the plans. He also stated that he appreciated the fact that the design did not try to attain the maximum floor area possible on the lot, but instead designed something to fit in with the scale of the neighborhood.

Following the architecture and site review meeting, the applicant submitted updated stormwater plans for the entire development, which were reviewed by a third party and found to be in substantial compliance in April.

Development Standards

The analysis for the new fourplex relative to the C-N development standards is included in a table as Attachment 9. There is not maximum density for multi-family within the C-N zone. The proposed fourplex at 524 Capitola Avenue complies with all of the development standards of the C-N zone, including parking. The parking requirement for a four-plex is two parking spaces per unit, one of which must be covered.

Design Permit

The proposed two-story fourplex incorporates contemporary design features. The two stories are differentiated through materials, with stucco on the first story and a combination of natural wood and aged ash horizontal siding accents on the first and second stories. The ground level of the building has a clean white stucco facade with differentiation in the setbacks creating interest and breaking up the massing along Capitola Avenue. The second-story exterior is clad with a wood textured laminate panel and accented with natural cedar in the soffit of the second level deck areas. On the front façade, two of the garage doors are recessed eight feet three inches behind the other two garage faces, giving the building a more articulated approach. The building facade is further articulated with bronzed anodized aluminum garage doors, windows, and clear glass railings on first level patios, front stairs, and second level decks that break up the massing across the front of the building.

Capitola Avenue is an area in which the City requires sidewalk improvement on both sides of the street. This property is one of four properties between Beulah Drive and Bay Avenue that lack sidewalks. The applicant is proposing a straight sidewalk that will comply with ADA standards.

Pursuant to §12.32.10, the maximum driveway width for the 80-foot-wide parcel is 30 feet. The two driveways are each 15 feet wide and comply with the maximum driveway width of 30 feet at the public street. The two driveways extend fifteen feet onto the lot and then the two driveways split into two more driveways, each leading to a garage door for the four individual units.

CMC 17.63.090(A-N), identifies the considerations in which the Architectural and Site Review Committee, staff, and the Planning Commission must analyze in the review of a design permit. The full list of considerations is included as Attachment 6. Staff has concerns with the site layout for the fourplex relative to consideration D(1) Site Layout, as follows:

“17.63.090(D)(1): Considerations relating to site layout: The orientation and location of buildings, decks or balconies, and open spaces in relation to the physical characteristics of the site, the character of the neighborhood and the appearance and harmony of the buildings with adjacent development such that privacy of adjacent properties is maintained.”

Each of the units in the fourplex has a garage facing Capitola Avenue and driveways that split off of the two driveways that connect to the public street. Within the stretch of Capitola Avenue between Beulah Drive and Bay Avenue, there are numerous mixed-use and multi-family structures. The majority of these existing developments have a single curb cut and shared driveway leading to shared parking. Attachment 11 is an aerial of Capitola Avenue between Beulah Drive and Bay Avenue highlighting parking areas.

The proposed design does not follow the established development pattern along the street. In the CN zone, the required front yard is a 15-foot landscape strip. Parking spaces are expressly prohibited in the front yard landscape area (17.24.130). The two driveways extend from the street fifteen feet through the required landscape area then each splits into two driveways creating four individual driveways leading to four individual garages facing Capitola Avenue. The end result is a building setback 28 feet from the street with a larger than typical front yard consumed by pavement and parking. The applicant provided justification for the design of the driveways/parking areas for Planning Commission consideration (Attachment 4).

Conditional Use Permit for Fourplex Apartments

In the CN zone, “multiple dwellings and groups or combinations thereof” require a conditional use permit.

Under CMC §17.60.030(A), in considering an application for a conditional use, the Planning Commission “shall give due regard to the nature and condition of all adjacent uses and structures,” and in issuing a conditional use permit, the Planning Commission “may impose requirements and conditions with respect to location, design, siting, maintenance and operation of the use in addition to those expressly provided in this chapter for the particular use, as may be necessary for the protection of the adjacent properties and in the public interest.” Under CMC §17.60.030(B), in approving a use permit, the Planning Commission “may include such conditions as the commission deems reasonable and necessary under the circumstances to preserve the integrity and character of the district and to secure the general purposes of this title, the general plan, and the local coastal program,” which may include “time limitations, further architectural and site review, street dedication, and street and drainage improvements.”

As stated previously, staff has concerns with site layout relative to the amount of driveway area in the front yard and the number of garage doors facing Capitola Road. The design of the fourplex could have incorporated one shared driveway leading to a shared parking area, similar to the development pattern established along Capitola Avenue.

CEQA

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

review of the proposed project.

RECOMMENDATION

Staff recommends the Planning Commission review the application and continue project application #18-0508 for modifications. Specifically, the fourplex at 524 Capitola Avenue should have a single curb cut and shared driveway leading to a shared parking area on the side or back of the building and the single-family home at 525 Burlingame Avenue should be modified to comply with the maximum driveway width.

It is important to note, the application must be reviewed as one application to ensure compliance with state stormwater regulations. Any modifications within one lot may impact stormwater calculations for the entire site and therefore approval, denial, or continuation of application #18-0508 should be for the entire site.

Should the Planning Commission approve the application as proposed, draft findings and conditions of approval are included as Attachment 10.

ATTACHMENTS:

1. 523 Burlingame Avenue - Apartments - Full Plan Set
2. 523 Burlingame Avenue - House 1 - Full Plan Set
3. 523 Burlingame Avenue - House 2 - Full Plan Set
4. Parking Configuration Justification for Apartments and Driveway Width Exception Request for House 1- 01.16.2019
5. Carrie Howard Letter - 01.03.2019
6. Architecture and Site Review Committee Considerations in Review of Applications
7. 525 Burlingame Avenue - House #1 - Development Standards Review
8. 523 Burlingame Avenue - House #2 - Development Standards Review
9. 524 Capitola Avenue - Fourplex Apartments - Development Standards Review
10. 523 Burlingame Avenue - Conditions of Approval - Findings - Coastal Findings
11. Capitola Avenue - Parcels with Side - Rear Parking

Prepared By: Matt Orbach
Associate Planner

- DIVISION 1: GENERAL REQUIREMENTS**
- 1.4 GENERAL NOTES**
1. GENERAL CONDITIONS AND REQUIREMENTS SHALL BE AS SHOWN ON DRAWINGS.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND AUTHORITIES.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND AUTHORITIES.
 4. ALL MATERIALS AND METHODS SHALL BE APPROVED BY THE ARCHITECT AND THE ENGINEER BEFORE USE.
 5. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND ALL APPLICABLE REGULATIONS.
 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND AUTHORITIES.
 7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND AUTHORITIES.
 8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND AUTHORITIES.
 9. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND ALL APPLICABLE REGULATIONS.

- DIVISION 2: STRUCTURAL REQUIREMENTS**
1. ALL STRUCTURAL MEMBERS SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND ALL APPLICABLE REGULATIONS.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND AUTHORITIES.
 3. ALL STRUCTURAL MEMBERS SHALL BE PROTECTED AGAINST CORROSION BY THE APPLICATION OF AN APPROPRIATE PROTECTIVE SYSTEM.
 4. ALL STRUCTURAL MEMBERS SHALL BE PROTECTED AGAINST COLLISION BY THE INSTALLATION OF PROTECTIVE BARRIERS.
 5. ALL STRUCTURAL MEMBERS SHALL BE PROTECTED AGAINST OVERHEATING BY THE INSTALLATION OF PROTECTIVE BARRIERS.
 6. ALL STRUCTURAL MEMBERS SHALL BE PROTECTED AGAINST OVERLOADING BY THE INSTALLATION OF PROTECTIVE BARRIERS.
 7. ALL STRUCTURAL MEMBERS SHALL BE PROTECTED AGAINST OVERSTRESS BY THE INSTALLATION OF PROTECTIVE BARRIERS.
 8. ALL STRUCTURAL MEMBERS SHALL BE PROTECTED AGAINST OVERDEFLECTION BY THE INSTALLATION OF PROTECTIVE BARRIERS.
 9. ALL STRUCTURAL MEMBERS SHALL BE PROTECTED AGAINST OVERVIBRATION BY THE INSTALLATION OF PROTECTIVE BARRIERS.

- DIVISION 3: MECHANICAL REQUIREMENTS**
- 3.1 MECHANICAL SYSTEMS**
1. ALL MECHANICAL SYSTEMS SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND ALL APPLICABLE REGULATIONS.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND AUTHORITIES.
 3. ALL MECHANICAL SYSTEMS SHALL BE PROTECTED AGAINST CORROSION BY THE APPLICATION OF AN APPROPRIATE PROTECTIVE SYSTEM.
 4. ALL MECHANICAL SYSTEMS SHALL BE PROTECTED AGAINST COLLISION BY THE INSTALLATION OF PROTECTIVE BARRIERS.
 5. ALL MECHANICAL SYSTEMS SHALL BE PROTECTED AGAINST OVERHEATING BY THE INSTALLATION OF PROTECTIVE BARRIERS.
 6. ALL MECHANICAL SYSTEMS SHALL BE PROTECTED AGAINST OVERLOADING BY THE INSTALLATION OF PROTECTIVE BARRIERS.
 7. ALL MECHANICAL SYSTEMS SHALL BE PROTECTED AGAINST OVERSTRESS BY THE INSTALLATION OF PROTECTIVE BARRIERS.
 8. ALL MECHANICAL SYSTEMS SHALL BE PROTECTED AGAINST OVERDEFLECTION BY THE INSTALLATION OF PROTECTIVE BARRIERS.
 9. ALL MECHANICAL SYSTEMS SHALL BE PROTECTED AGAINST OVERVIBRATION BY THE INSTALLATION OF PROTECTIVE BARRIERS.

- DIVISION 4: ELECTRICAL REQUIREMENTS**
- 4.1 ELECTRICAL SYSTEMS**
1. ALL ELECTRICAL SYSTEMS SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND ALL APPLICABLE REGULATIONS.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND AUTHORITIES.
 3. ALL ELECTRICAL SYSTEMS SHALL BE PROTECTED AGAINST CORROSION BY THE APPLICATION OF AN APPROPRIATE PROTECTIVE SYSTEM.
 4. ALL ELECTRICAL SYSTEMS SHALL BE PROTECTED AGAINST COLLISION BY THE INSTALLATION OF PROTECTIVE BARRIERS.
 5. ALL ELECTRICAL SYSTEMS SHALL BE PROTECTED AGAINST OVERHEATING BY THE INSTALLATION OF PROTECTIVE BARRIERS.
 6. ALL ELECTRICAL SYSTEMS SHALL BE PROTECTED AGAINST OVERLOADING BY THE INSTALLATION OF PROTECTIVE BARRIERS.
 7. ALL ELECTRICAL SYSTEMS SHALL BE PROTECTED AGAINST OVERSTRESS BY THE INSTALLATION OF PROTECTIVE BARRIERS.
 8. ALL ELECTRICAL SYSTEMS SHALL BE PROTECTED AGAINST OVERDEFLECTION BY THE INSTALLATION OF PROTECTIVE BARRIERS.
 9. ALL ELECTRICAL SYSTEMS SHALL BE PROTECTED AGAINST OVERVIBRATION BY THE INSTALLATION OF PROTECTIVE BARRIERS.

- DIVISION 5: FINISHES AND MILLWORK REQUIREMENTS**
- 5.1 FINISHES AND MILLWORK**
1. ALL FINISHES AND MILLWORK SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND ALL APPLICABLE REGULATIONS.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND AUTHORITIES.
 3. ALL FINISHES AND MILLWORK SHALL BE PROTECTED AGAINST CORROSION BY THE APPLICATION OF AN APPROPRIATE PROTECTIVE SYSTEM.
 4. ALL FINISHES AND MILLWORK SHALL BE PROTECTED AGAINST COLLISION BY THE INSTALLATION OF PROTECTIVE BARRIERS.
 5. ALL FINISHES AND MILLWORK SHALL BE PROTECTED AGAINST OVERHEATING BY THE INSTALLATION OF PROTECTIVE BARRIERS.
 6. ALL FINISHES AND MILLWORK SHALL BE PROTECTED AGAINST OVERLOADING BY THE INSTALLATION OF PROTECTIVE BARRIERS.
 7. ALL FINISHES AND MILLWORK SHALL BE PROTECTED AGAINST OVERSTRESS BY THE INSTALLATION OF PROTECTIVE BARRIERS.
 8. ALL FINISHES AND MILLWORK SHALL BE PROTECTED AGAINST OVERDEFLECTION BY THE INSTALLATION OF PROTECTIVE BARRIERS.
 9. ALL FINISHES AND MILLWORK SHALL BE PROTECTED AGAINST OVERVIBRATION BY THE INSTALLATION OF PROTECTIVE BARRIERS.

BURLINGAME APARTMENTS (PARCEL 'A')

523 BURLINGAME AVE.
CAPITOLA, CA 95010

fuse
411 CURIA AVE.
CAPITOLA, CA 95010
TEL: 831.775.0065
FAX: 831.775.9235

Project Name: BURLINGAME APARTMENTS (PARCEL 'A')

Project Number: SEPARATE PLAN TO BE ASSIGNED AFTER PARCEL 'A'

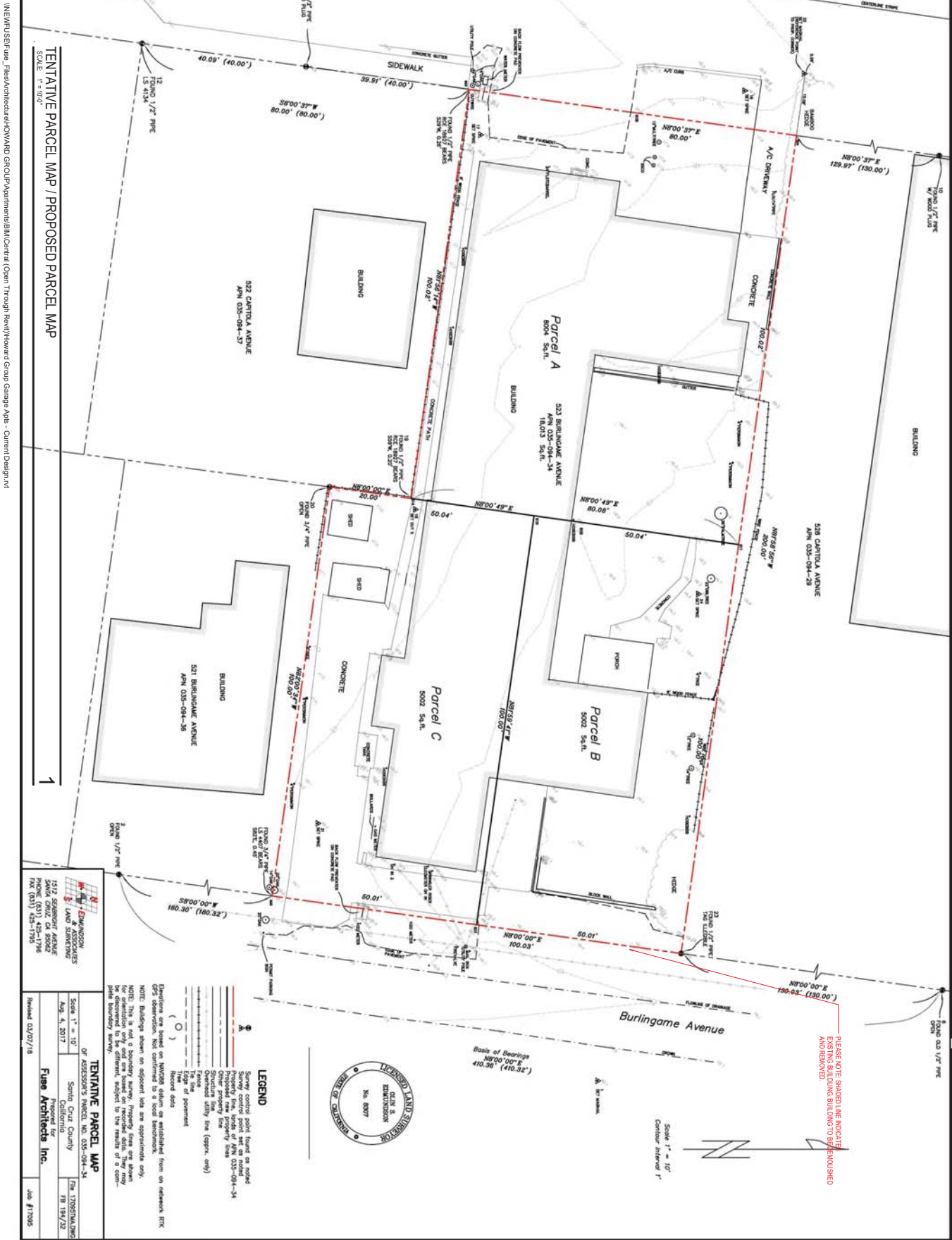
Revision:

Issue	Date	Revised
0	12/13/18	PLAN REVISION
1	01/11/19	PLAN REVISION

Scale:

A0.2

© 2018 Fuse



TENTATIVE PARCEL MAP / PROPOSED PARCEL MAP
SCALE: 1" = 100'

EDMUNSON & ASSOCIATES
LAND SURVEYING
1512 SARGENT AVENUE
PHOENIX, AZ 85018
PHONE: (602) 425-1795
FAX: (602) 425-1795

TENTATIVE PARCEL MAP
OF ASSESSOR'S PARCEL NO. 035-094-34
SANTA CLAY COUNTY
ARIZONA
Prepared for
Fuse Architects Inc.
1512 SARGENT AVENUE
PHOENIX, AZ 85018
PHONE: (602) 425-1795
FAX: (602) 425-1795
Job #17705
Revised 03/07/18

Dimensions are based on NAVD83 datum as established from an unadjusted GPS observation. Not confirmed to a local benchmark.
NOTE: Buildings shown on adjacent site are approximate only.
NOTE: This is not a boundary survey. Property lines are shown to be adjacent to the different parcels in the vicinity of a corner. A clear boundary survey.

LEGEND
Survey corner point based on adjacent property lines
Property line, based on APN 035-094-34
Other property line
Other property line (approx. only)
Structure line
Fence
Edge of pavement
Ironed data
Ironed data
Ironed data



Basis of Bearings
S 89°00'00" E
410.00' (410.32')

Scale 1" = 10'
Contour Interval 1'

PLEASE NOTE SHADDED LINE INDICATES EXISTING BUILDING BOUNDARY TO BE DEMOLISHED AND REMOVED.

A1.2
© 2018 Fuse

Project Name
BURLINGAME APARTMENTS (PARCEL A)
Project Number
TENTATIVE PARCEL MAP TO BE ASSIGNED AFTER PARCEL SW
Description
TENTATIVE PARCEL MAP / PROPOSED PARCEL MAP
Scale
1" = 10'

Issue - Date - Description
0 - 1 - 06/04/18 PLANNING
1 - 2 - 12/13/18 PLAN RESUB
2 - 3 - 01/11/19 PLAN RESUB I.I



Seal Signature
Edin & Edmundson
Professional Engineer
No. 8207
State of Arizona

fuse
ARCHITECTS INC.
4111 CAPITOLA AVE.
CAPITOLA, CA 95010
TEL 831.775.9095
FAX 831.775.9255

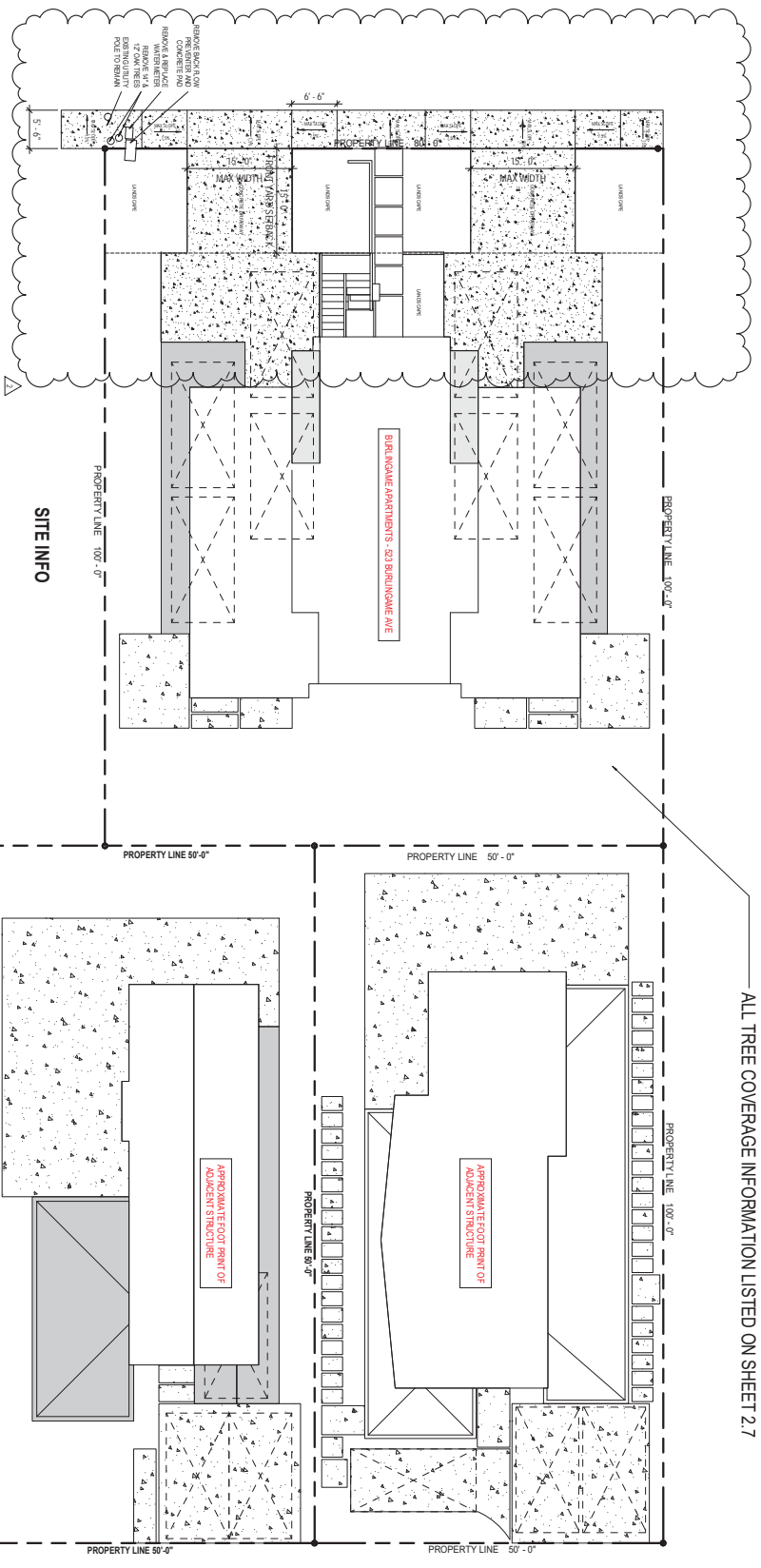
523 BURLINGAME AVE.
CAPITOLA, CA, 95010

BURLINGAME APARTMENTS (PARCEL 'A')

BURLINGAME APARTMENTS (PARCEL 'A')

523 BURLINGAME AVE.
CAPITOLA CA, 95010

fuse
LAND ARCHITECTURE
4111 CORRAL AVE.
CARMEL, CA 95010
TEL 831.476.9295
FAX 831.476.9225



PROPOSED MASTER SITE PLAN OF DEVELOPMENT

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

1



Issue Date: 12/12/18
Project Number: 18-0000
Project Name: BURLINGAME APARTMENTS (PARCEL A)

A1.3
1/8" = 1'-0"

© 2018 Fuse

BURLINGAME APARTMENTS (PARCEL 'A')

523 BURLINGAME AVE.
CAPITOLA CA, 95010



fuse ARCHITECTURE
4111 CORKEN AVE.
CORKEN CA 95010
TEL 831.479.9096
FAX 831.479.9225

#	ISSUE	DATE	DESCRIPTION
0	1.	06/20/18	PERMITS PLANNING
1	2.	12/12/18	PERMITS PLANNING
2	3.	01/11/19	PERMITS PLANNING



Project Name:
BURLINGAME APARTMENTS (PARCEL A)

Project Number:
SERIES 18-111-001-001 TO BE ASSIGNED AFTER PARCEL SEAL

Discipline:
PROPOSED ARCHITECTURAL SITE PLAN

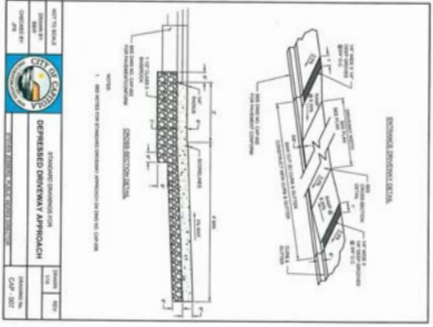
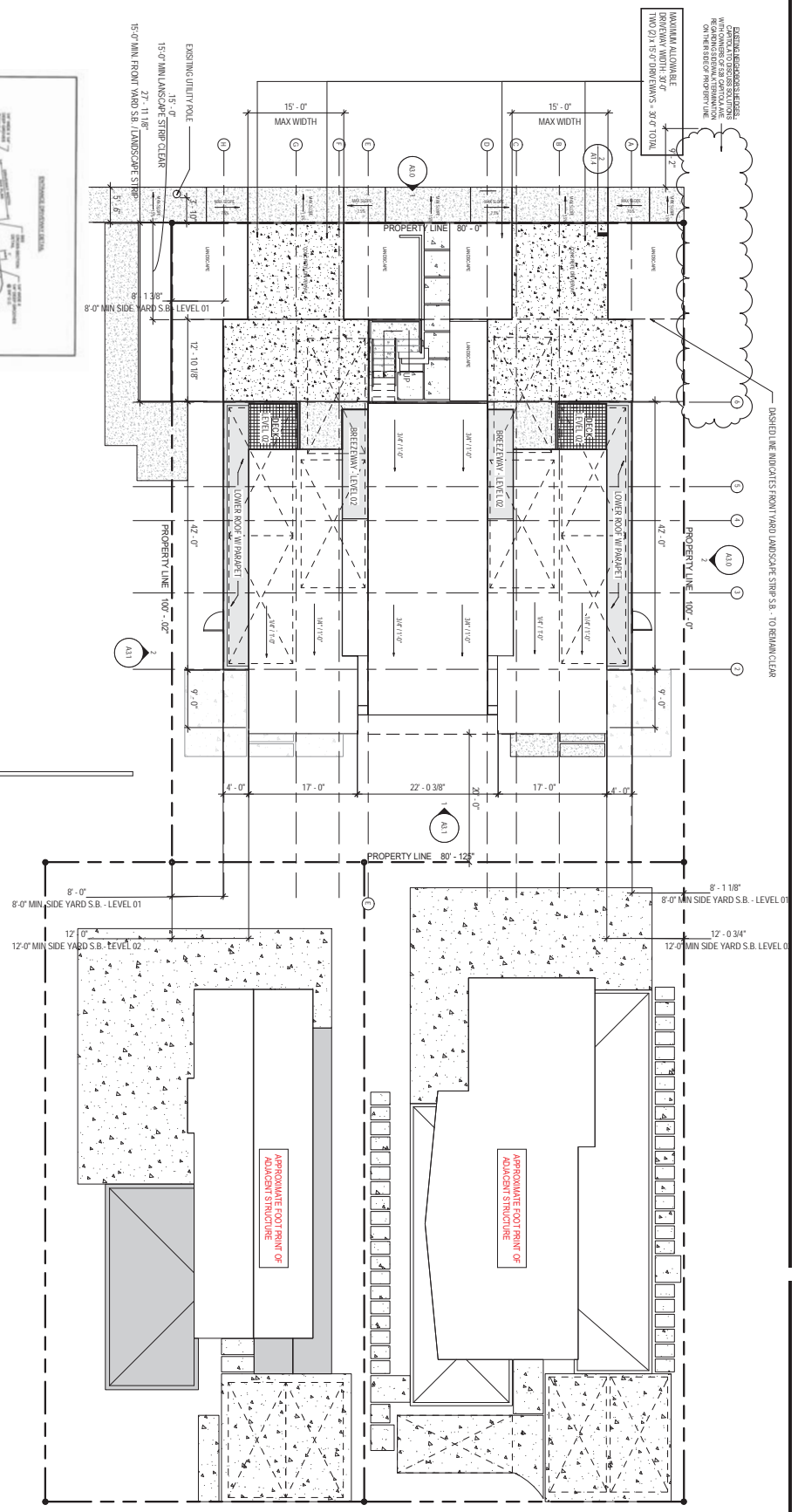
Scale: 1/8" = 1'-0"

A1.4

© 2018 Fuse

PROPOSED ARCHITECTURAL SITE PLAN

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

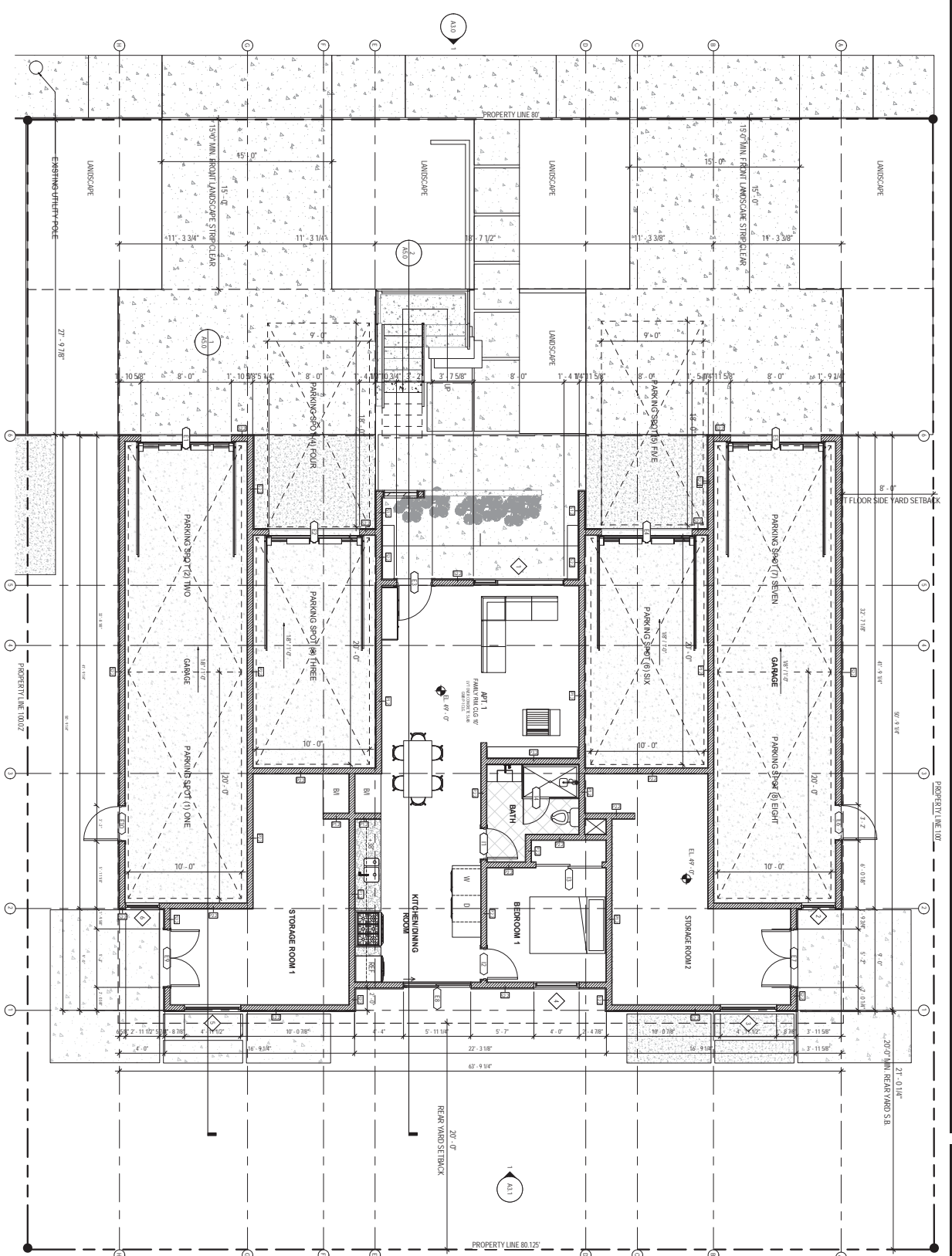


Depressed Driveway Approach

SCALE: 1/16" = 1'-0"

2

PROPOSED FLOOR PLAN - LEVEL 01
SCALE: 1/8" = 1'-0"



A2.3

© 2018 Fuse

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

Description:
PROPOSED FLOOR PLAN - LEVEL 01

Project Number:
SEPARATE PLAN TO BE
ASSIGNED AFTER PHASE 1 PM

Project Name:
BURLINGAME APARTMENTS (PARCEL A)



Issue	Date	Version
0	1/06/18	PLAN PLANNING
1	1/21/18	PLAN RESUB
2	01/11/19	PLAN RESUB 1

Seal Signature

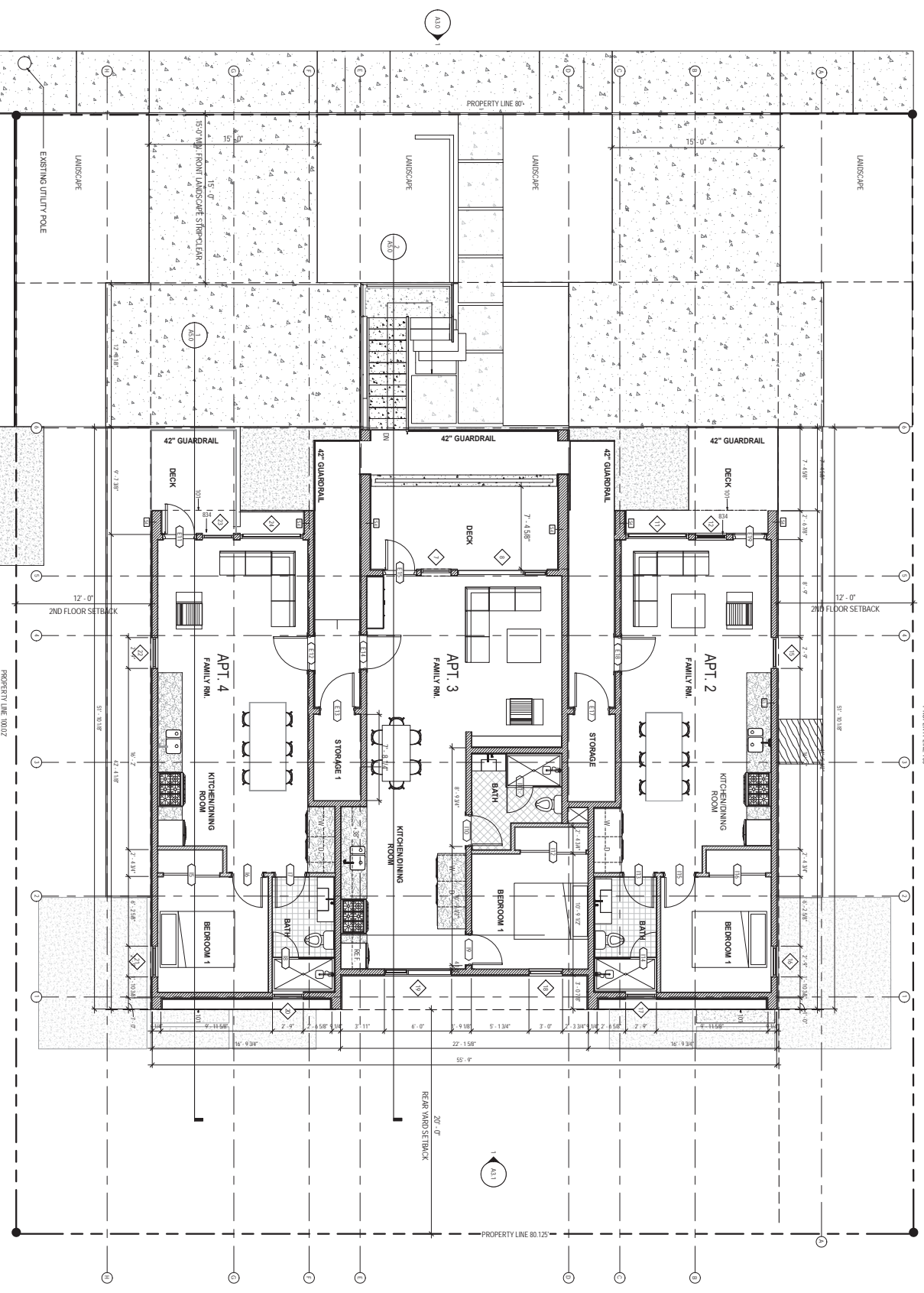
fuse
ARCHITECTS INC.
4111 CAPITOLA AVE.
CANTON, CA 95010
TEL 831.479.0065
FAX 831.479.9235

523 BURLINGAME AVE.
CAPITOLA CA, 95010

**BURLINGAME
APARTMENTS
(PARCEL 'A')**

\\NEMPHISE\Fuse - Fusa\Architect\HOWARD GROUP\Apartment\BML\Central Open Trough Row\Howard Group Garage Apts - Current Design.rvt

PROPOSED FLOOR PLAN - LEVEL 02
SCALE: 1/4" = 1'-0"



A2.4

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

© 2018 Fuse

Project Name
BURLINGAME APARTMENTS (PARCEL 'A')

Project Number
SEPARATE PLAN TO BE ASSIGNED AFTER PARCEL 'B'

Description
PROPOSED FLOOR PLAN - LEVEL 02

Issue Date: 01/11/2019
Issue: 02

1. 06/04/18 PLANNING
2. 12/13/18 PLAN RESUB
3. 01/11/19 PLAN RESUB

Seal/Signature

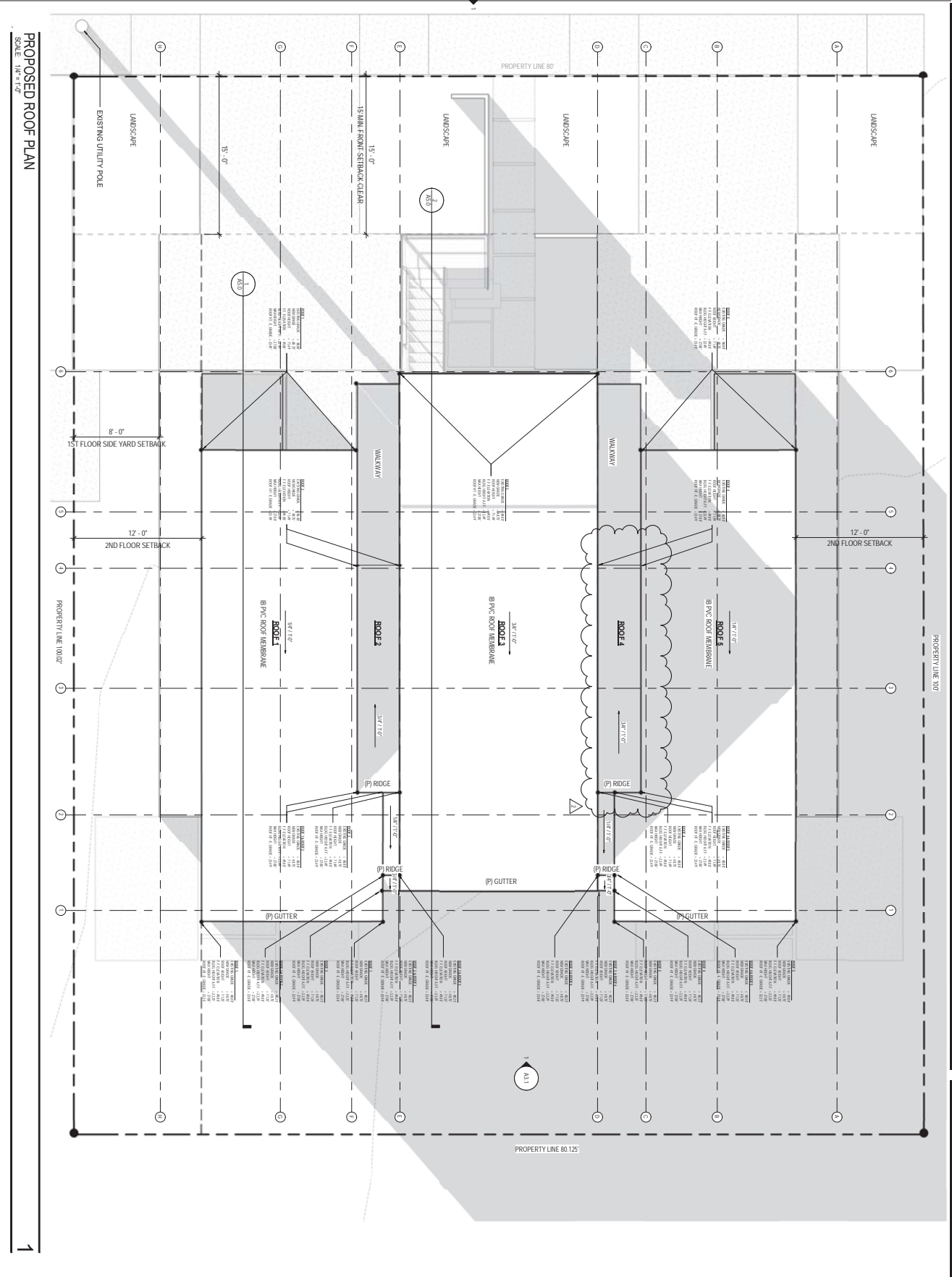


fuse
ARCHITECTS INC.
4111 CARRERA AVE.
CARRERA CA 95010
TEL 831.879.9095
FAX 831.879.9255

523 BURLINGAME AVE.
CAPITOLA CA, 95010

BURLINGAME APARTMENTS (PARCEL 'A')

1/11/2019 3:11:28 PM



PROPOSED ROOF PLAN

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

1

BURLINGAME APARTMENTS (PARCEL 'A')

523 BURLINGAME AVE.
CAPITOLA CA, 95010



Issue	Date	Version
0	1	ISSUE FOR PLANNING
1	2	FOR PERMITS
2	3	FOR PERMITS



Project Name: BURLINGAME APARTMENTS (PARCEL 'A')

Project Number: SEPARATE PLAN TO BE ASSIGNED AFTER PERMITS

Description: PROPOSED ROOF PLAN

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

A2.6

© 2018 Fuse

WENYUSI@fuse, Fusa\schickler\HOWARD GRQ\Project\Apartment\BMT\Central (Open Trough Row)\Howard Group_Gampe_Ap1 - Current Design.rvt



HOWARD RESIDENCE / HOUSE 02 LANDSCAPE PLAN
 CAPITOLA AVE / CURRENTLY 523 BURLINGAME AVE
 December 13, 2018

411 CAPITOLA AVENUE
 CAPITOLA - CALIFORNIA 95010
 831.479.9000
 831.479.9255



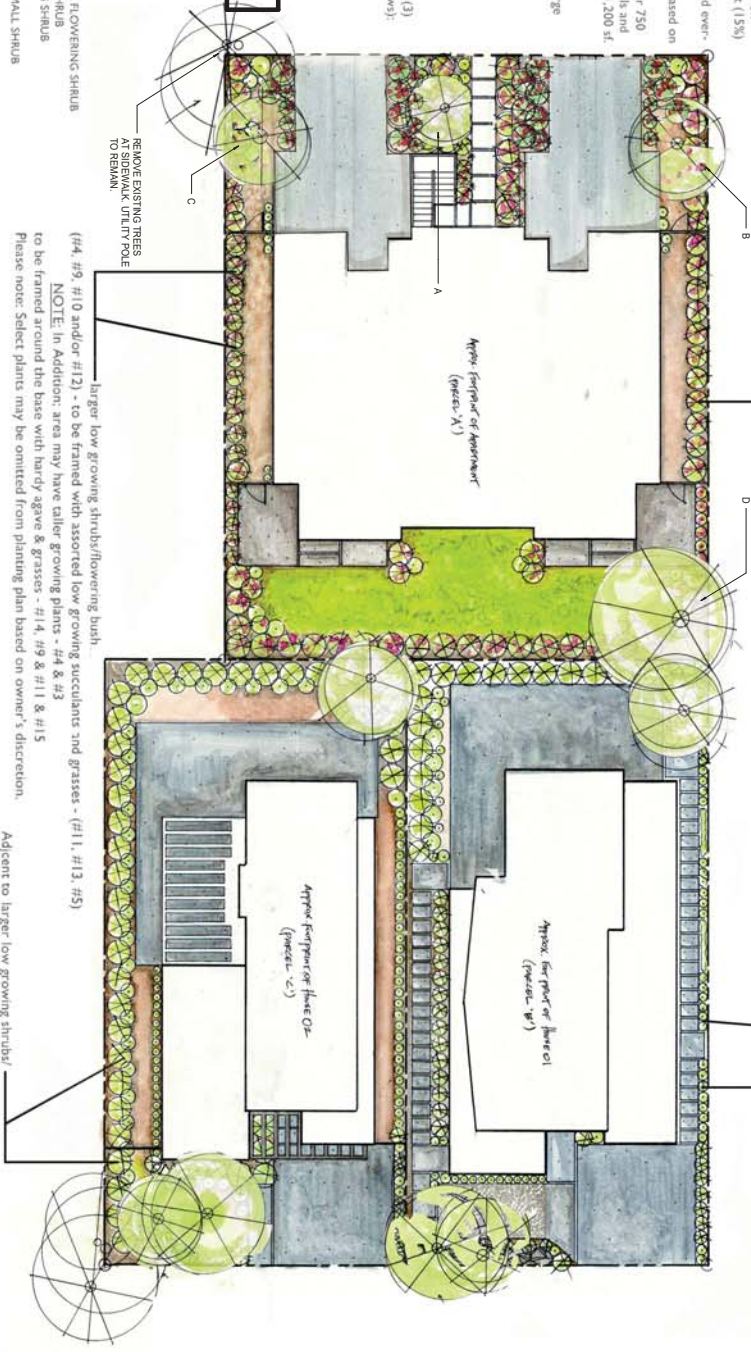
larger low growing shrubs/flowering bushes - (#4, #9, #10 and/or #12) - to be framed with assorted low growing succulants and grasses - (#11, #13, #15)
 NOTE: In Addition: area may have taller growing plants - #4 & #3 to be framed around the base with hardy agave & grasses - #14, #9 & #11 & #15
 Please note: Select plants may be omitted from planting plan based on owner's discretion.

#9, #14 & #13, #10 Grasses, Agave & Succulants
 NOTE: In Addition: area may have taller growing plants - #4 & #3 to be framed around the base with hardy agave & grasses - #14, #9 & #11 & #15
 Please note: Select plants may be omitted from planting plan based on owner's discretion.

Please Note: CHC 121.2.180 requires that, as a part of review of development applications on vacant properties, there is a fifteen percent (15%) consisting of flowering, deciduous trees, and ever-green trees.
 Landscape plan shows location of trees - based on area of parcel.
 Tree coverage shall be approximately 15% or 750 s.f. of 5,000 s.f. parcel for Residential parcels and 15% of the 8,000 s.f. commercial parcel or 1,200 s.f. Parcel 'A' - 8,000 s.f. / 1,200 s.f. min:
 Proposed: approx. 1,412 s.f. with four (4) large canopy trees (as follows):
 A: Cape Merrile - approx. 78 s.f.
 B: Acacia - approx. 314 s.f. canopy
 C: Acacia - approx. 314 s.f. canopy
 D: Large Palm - approx. 706 s.f. canopy
 Parcel 'B' & 'C' - 5,000 s.f. / 750 s.f. (each)
 Proposed: approx. 782 s.f. (each) with three (3) large canopy trees on each parcel (as follows):
 E: Cape Merrile - approx. 314 s.f. canopy
 F: Cape Merrile - approx. 314 s.f. canopy
 G: Acacia - 490 s.f. canopy

PERCENTAGE OF LANDSCAPED AREA:
 PARCEL 'A' (Apartments): 40% or 3,198 s.f. of 8,000 s.f. parcel
 PARCEL 'B' (House 01): 30% or 1,516 s.f. of 5,000 s.f. parcel.
 PARCEL 'C' (House 02): 40% or 1,996 s.f. of 5,000 s.f. parcel.

PLANT LEGEND -
 #1. HELIOLICA QUINQUELOBA - LARGE FLOWERING SHRUB
 #2. HETINOSPOROS - LARGE FLOWERING SHRUB
 #3. ABURUS MARIANA - LARGE FLOWERING SHRUB
 #4. ECHINIL CANDIDICANS - SMALL SHRUB
 #5. LIMONUM PERZETI (SEA LAVENDER) - SMALL SHRUB
 #6. ACHEILLE VAROVUM - SMALL SHRUB
 #7. EUCALONIA - SMALL SHRUB
 #8. LANTRIANA - SMALL SHRUB
 #9. PHORISUM - ASSORTED COLORED GRASSES
 #10. EUPHORBIA TRIUCALI - STIFF GRASS-LIKE SHRUB
 #11. LOPHANDRA LONGICOLA BREEZE - ASSORTED GRASSES
 #12. LOPHANDRA LONGICOLA BREEZE - ASSORTED GRASSES
 #13. ASSORTED ECHINEREA - ASSORTED SUCCULENTS (HENSCHECKS)
 #14. AGAVE ATTENUATA - LARGE SMALL CACTUS/SUCCULENTS
 #15. GIANT BIRD OF PARADISE - LARGE SMALL SHRUB



larger low growing shrubs/flowering bush (#4, #9, #10 and/or #12) - to be framed with assorted low growing succulants and grasses - (#11, #13, #15)
 NOTE: In Addition: area may have taller growing plants - #4 & #3 to be framed around the base with hardy agave & grasses - #14, #9 & #11 & #15
 Please note: Select plants may be omitted from planting plan based on owner's discretion.

to be framed around the base with hardy agave & grasses - #14, #9 & #11 & #15
 Please note: Select plants may be omitted from planting plan based on owner's discretion.

Architect

Scale
 1/8" = 1'-0"

Project Name
 BURLINGAME APARTMENTS (PARCEL 'A')

Project Number
 SEPARATE PLAN TO BE ASSIGNED AFTER PARCEL 'B'

Description
 PROPOSED LANDSCAPE PLAN

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

Issue - Date - Revision

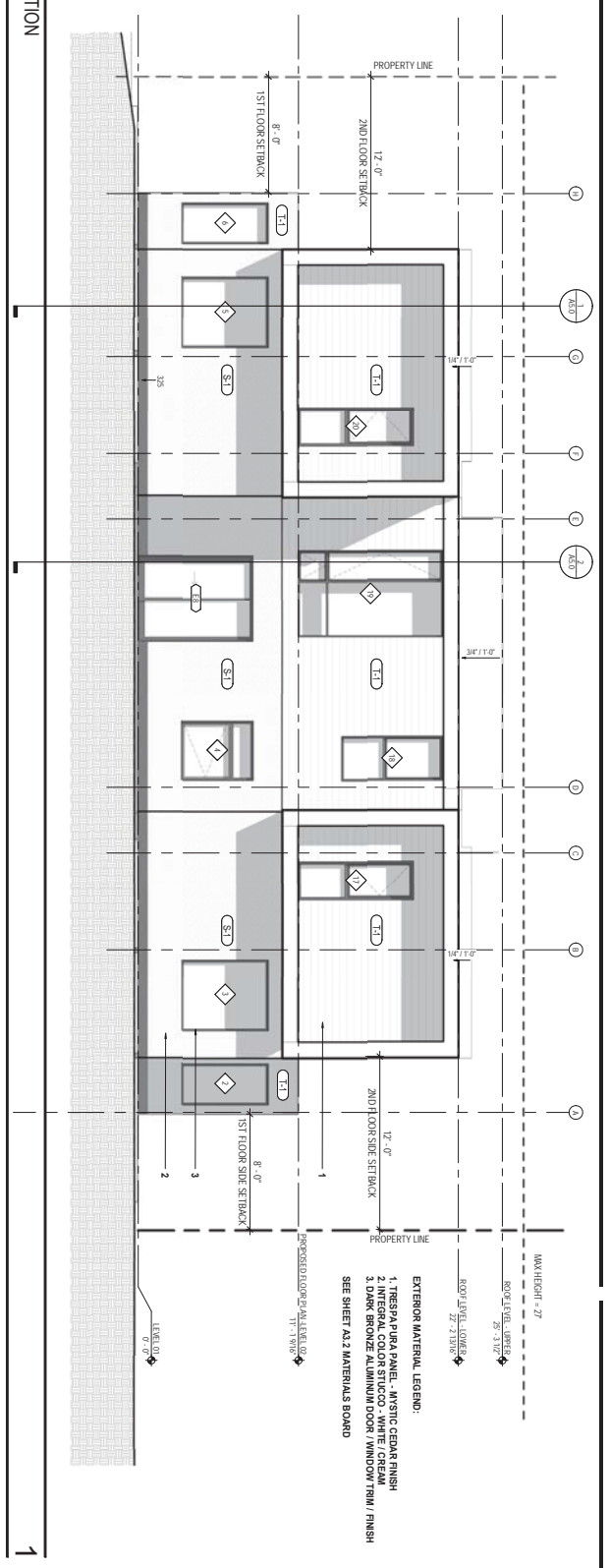
0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB

Scale
 1/8" = 1'-0"

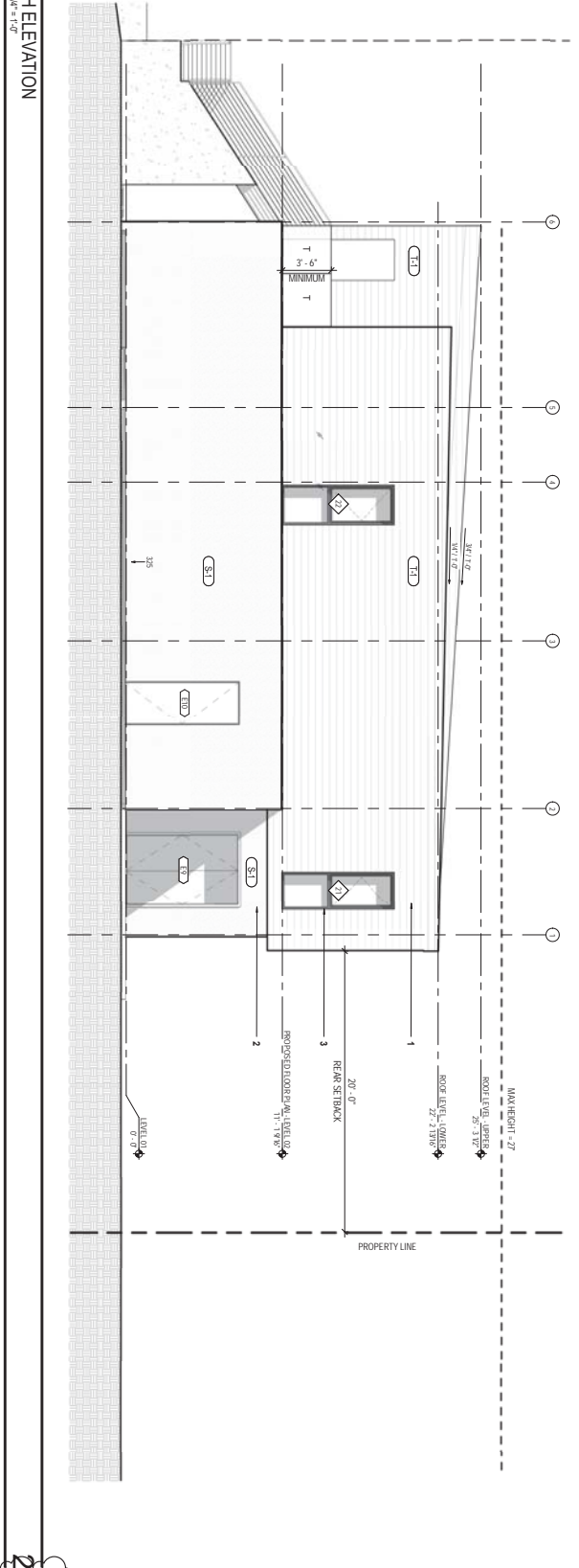
Issue - Date - Revision

0	1	06/04/18 PLANING
1	2	12/13/18 PLAN RESUB
2	3	01/

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



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



1/11/2019 3:12:12 PM

INVENTOR: SEBASTIAN FUSO ARCHITECTURE; PROJECT: HOWARD GROUP APARTMENTS (PARCEL 'A'); SHEET: A3.1

A3.1
© 2018 FUSE

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

Description: PROPOSED EXTERIOR ELEVATIONS

Project Name: BURLINGAME APARTMENTS (PARCEL 'A')

Project Number: SEPARATE PLAN TO BE ASSIGNED AFTER PANEL SUBMIT

Project Location: 523 BURLINGAME AVE. CAPITOLA, CA 95010

Seal/Signature

Issue	Date	Revised
0	1	ISSUE FOR PERMITTING
1	2	1/21/18 PLAN RESUB
2	3	01/11/19 PLAN RESUB



523 BURLINGAME AVE.
CAPITOLA, CA, 95010

BURLINGAME APARTMENTS (PARCEL 'A')



- 1. WHITE STUCCO
- 2. WESTERN RED CEDAR
- 3. TRESPA PURA PANEL - MYSTIC CEDAR FINISH
- 4. DARK BRONZE ALUMINUM WINDOW TRIM



BURLINGAME PROJECT - APARTMENTS MATERIALS BOARD

523 BURLINGAME AVENUE
JANUARY 09, 2019

411 CAPITOLA AVENUE
CAPITOLA, CALIFORNIA
95010



BURLINGAME APARTMENTS (PARCEL 'A')

523 BURLINGAME AVE.
CAPITOLA CA, 95010



Issue	Date	Revised
0	1	06/04/18 PLAN/ANALOG
1	2	12/13/18 PLAN/RESUB
2	3	01/11/19 PLAN/RESUB I.I.

Scale Signature



Project Name
BURLINGAME APARTMENTS (PARCEL 'A')

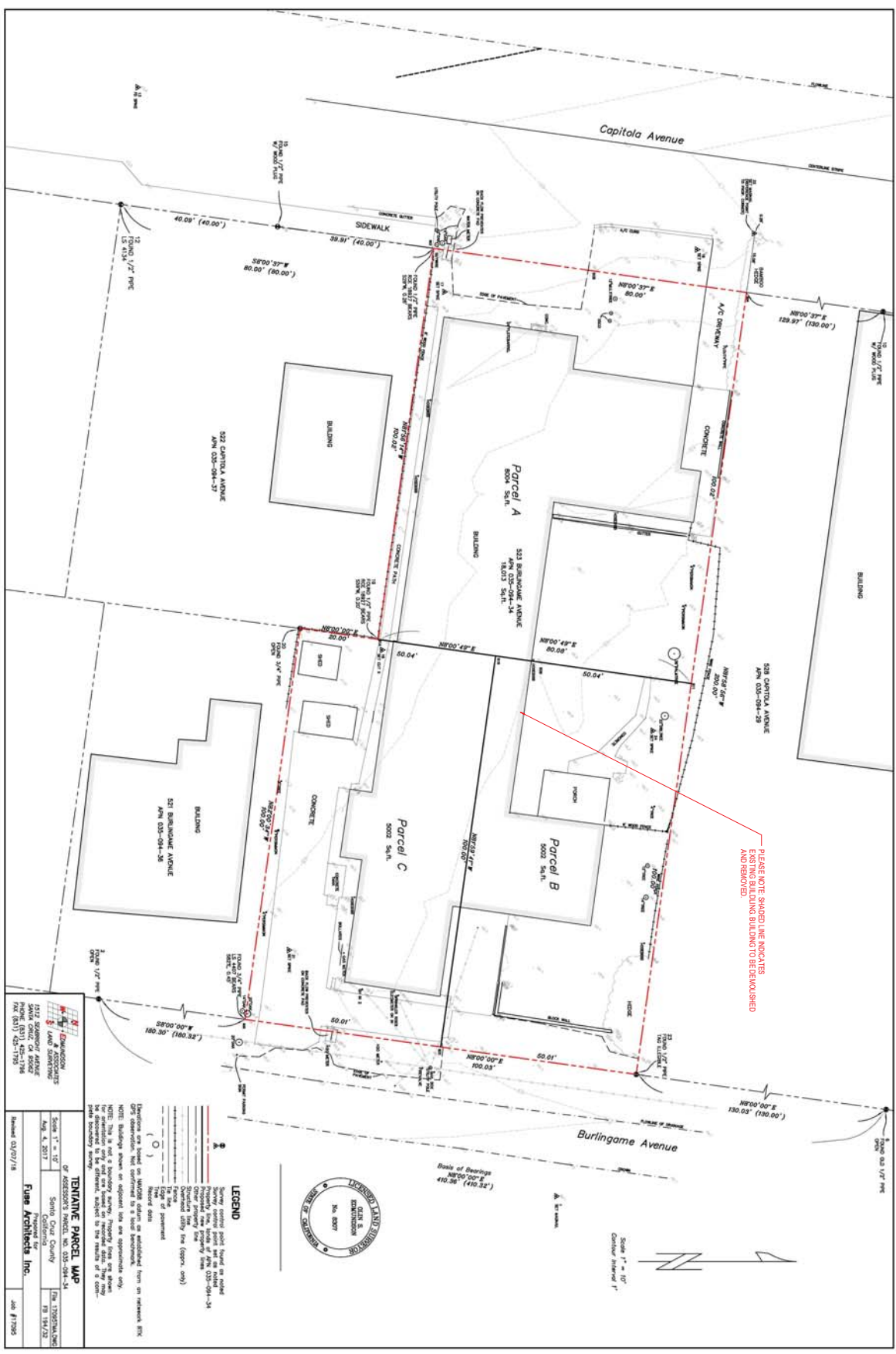
Project Number
SEPARATE PLAN TO BE ASSIGNED AFTER PARCEL 'B' IS

Description
MATERIALS BOARD

Scale

A3.2

© 2018 Fuse



TENTATIVE PARCEL MAP / PROPOSED PARCEL MAP
SCALE: NTS

1

<p>EMENDATORY</p> <p>523 BURLINGAME AVENUE HOME (S31), 425-1794 M/C (S1) 523-1793</p>	<p>LAND SURVEYING</p> <p>523 BURLINGAME AVENUE HOME (S31), 425-1794 M/C (S1) 523-1793</p>
--	--

<p>TENTATIVE PARCEL MAP</p> <p>Scale: 1" = 10'</p> <p>DATE: 08/07/18</p> <p>PROJECT: 523 BURLINGAME AVENUE, CA 95010</p> <p>PREPARED BY: FUSE ARCHITECTS INC.</p> <p>DATE: 08/07/18</p> <p>JOB #1793</p>

Project Name: BURLINGAME RESIDENCE - HOUSE 01 (PARCEL B)

Project Number: 523 BURLINGAME AVENUE, CA 95010

Assigned After Parcel Split

Map Description: TENTATIVE PARCEL MAP / PROPOSED PARCEL MAP

Scale: NTS



Issue	Date	Notes
0	1	08/07/18 PLANNING
1	2	12/13/18 PLAN RESUB
2	3	11/17/18 PLAN RESUB

Scale Signature

Project Name: BURLINGAME RESIDENCE - HOUSE 01 (PARCEL B)

Project Number: 523 BURLINGAME AVENUE, CA 95010

Map Description: TENTATIVE PARCEL MAP / PROPOSED PARCEL MAP

Scale: NTS

1

© 2018 Fuse

fuse
ARCHITECTS INC.
411 CAPITOLA AVE.
CARMEL, CA 95010
TEL: 831.479.9095
FAX: 831.479.9255

523 BURLINGAME AVENUE, CAPITOLA, CA 95010

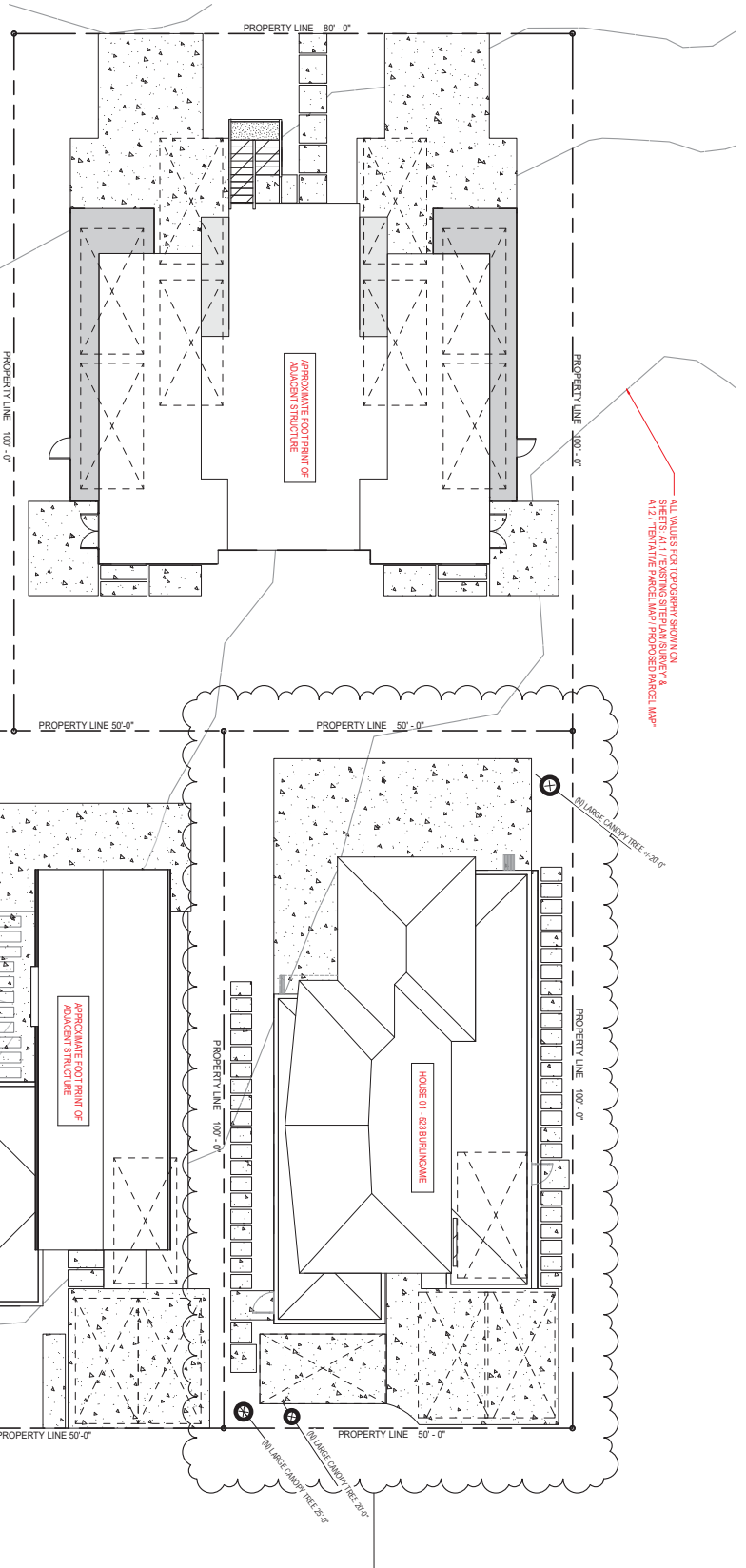
BURLINGAME RESIDENCE - HOUSE 01 (PARCEL 'B')

BURLINGAME RESIDENCE - HOUSE 01 (PARCEL 'B')

523 BURLINGAME AVENUE, CAPITOLA, CA 95010



4111 CAPITOLA AVE. CAPITOLA, CA 95010 TEL: 831.479.9095 FAX: 831.479.9255



ALL LINES FOR PROPOSED SKETCH ON SHEETS 11 USING SITE PLAN SHEET # A12 'TENTATIVE PARCEL MAP / PROPOSED PARCEL MAP'

PROPOSED OVERALL MASTER SITE PLAN

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

A1.3

© 2018 Fuse

Issue	Date	Version
0	1	06/04/18 PLANNING
1	2	12/13/18 PLAN RESUB
2	3	11/11/19 PLAN RESUB

Seal/Signature

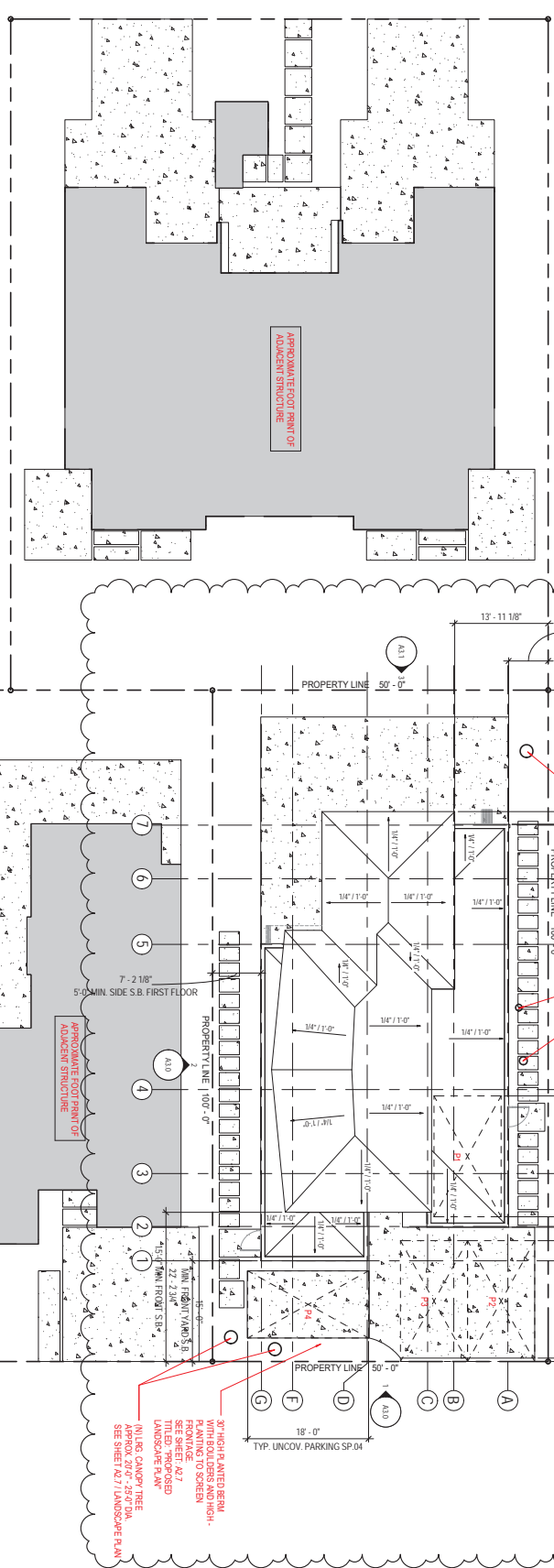


Project Name: BURLINGAME RESIDENCE - HOUSE 01 (PARCEL 'B')

Project Number: A SEPARATE PLAN TO BE ASSIGNED AFTER PARCEL SP/11

Description: PROPOSED OVERALL MASTER SITE PLAN OF DEVELOPMENT

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



PLEASE NOTE:

- EXISTING BUILDING TO BE DEMOLISHED IS SHOWN WITH ASSOCIATED DIMENSIONS ON SHEET A1.3 - TITLED EXISTING ADJACENT STRUCTURE.
- ALL EXISTING AND PROPOSED BUILDINGS IN THIS AREA ARE SHOWN WITH DIMENSIONS ON SHEET A1.3 - TITLED EXISTING ADJACENT STRUCTURE.
- EXISTING AND PROPOSED DIMENSIONS ON SHEET A1.3 - TITLED EXISTING ADJACENT STRUCTURE ARE FOR INFORMATION ONLY AND SHALL NOT BE USED FOR CONSTRUCTION.
- EXISTING AND PROPOSED DIMENSIONS ON SHEET A1.3 - TITLED EXISTING ADJACENT STRUCTURE ARE FOR INFORMATION ONLY AND SHALL NOT BE USED FOR CONSTRUCTION.

PROPOSED ARCHITECTURAL SITE PLAN - HOUSE 01
 SCALE: 1/8" = 1'-0"

1

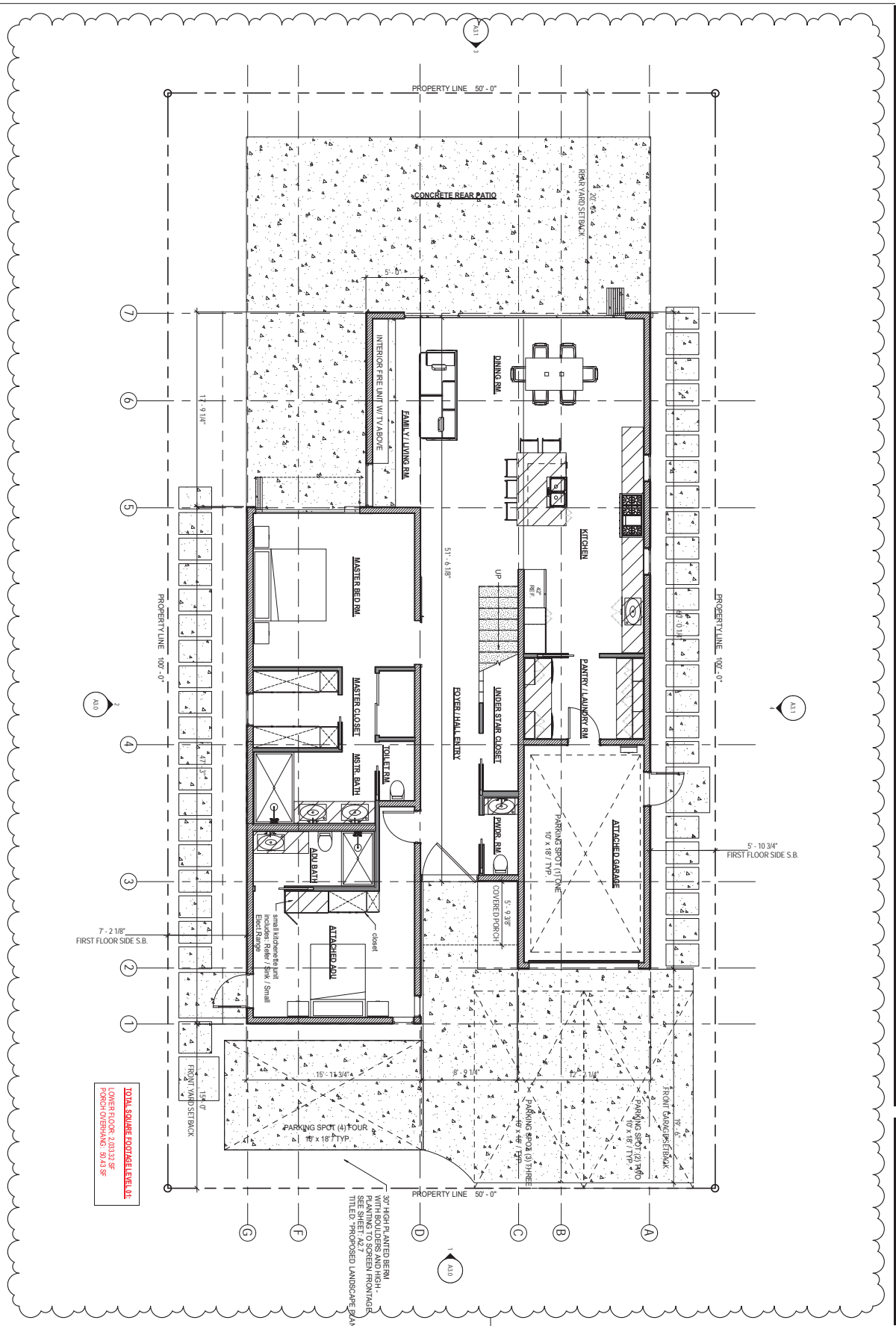


Project Name: BURLINGAME RESIDENCE - HOUSE 01
Parcel ID: 12131418 PIN RESUB 2
Project Number: SEPARATE PLAN TO BE ASSIGNED AFTER PARCEL SPLIT
Description: PROPOSED ARCHITECTURAL SITE PLAN
 Scale: 1/8" = 1'-0"
 © 2018 Fuse

fuse
 ARCHITECTURE INC.
 411 CHURCH AVE.
 CARPENTERS CA 95010
 TEL 831.476.9295
 FAX 831.476.9225

523 BURLINGAME AVENUE, CARPENTERS, CA 95010

BURLINGAME RESIDENCE - HOUSE 01 (PARCEL 'B')



PROPOSED FLOOR PLAN - LEVEL 01
SCALE: 1/8" = 1'-0"

1

A2.3



© 2018 Fuse

Project Name:
BURLINGAME RESIDENCE - HOUSE 01

Project Number:
SEPARATE PIN TO BE ASSIGNED AFTER PARCEL SPLIT

Description:
PROPOSED FLOOR PLAN - LEVEL 01

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



Site Address:
523 BURLINGAME AVENUE, CAPITOLA, CA 95010

fuse
ARCHITECTURE INC.
411 CHURCH AVE.
CAPITOLA, CA 95010
TEL 831.767.9295
FAX 831.479.9252

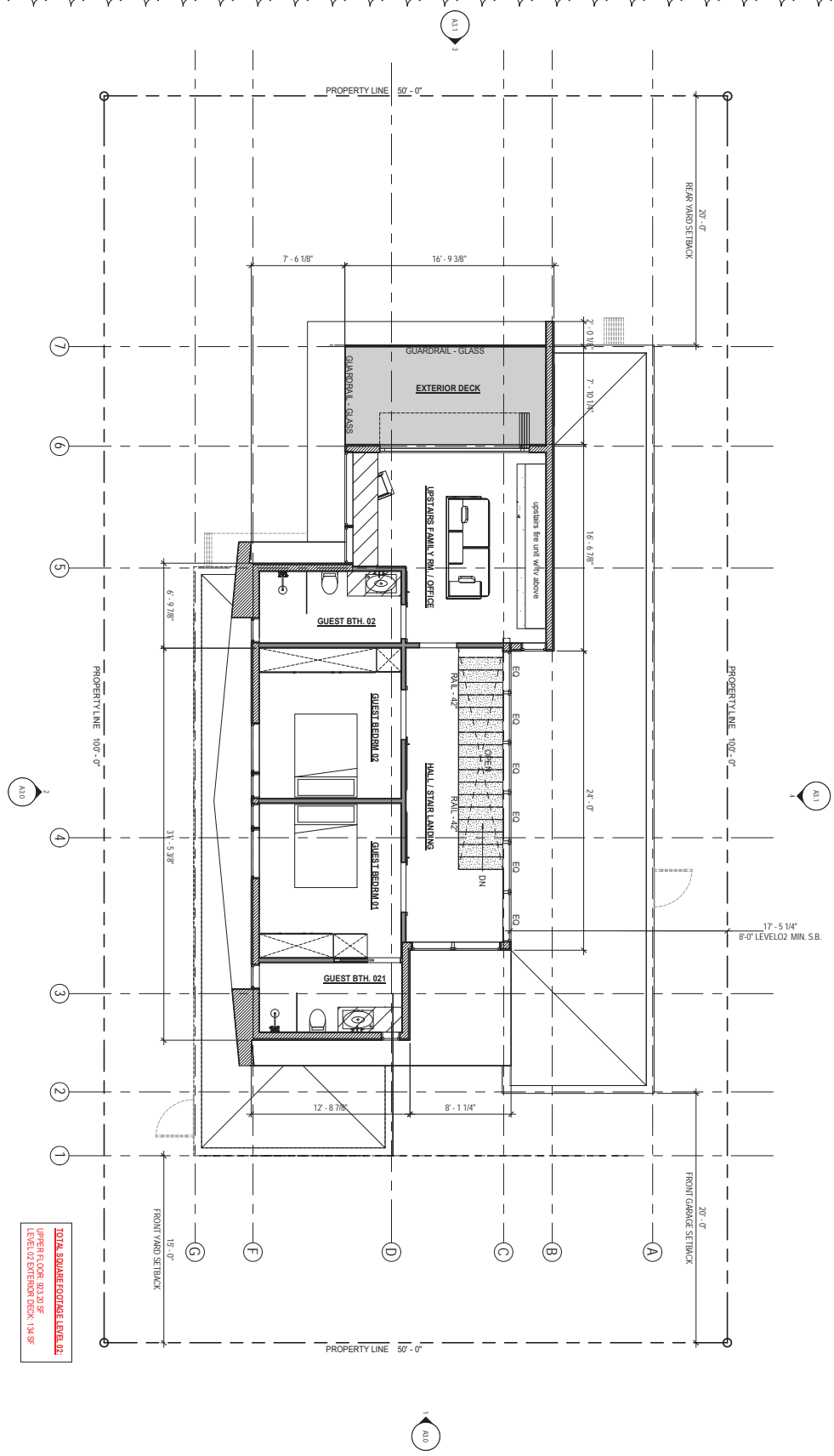
BURLINGAME RESIDENCE - HOUSE 01 (PARCEL 'B')

523 BURLINGAME AVENUE, CAPITOLA, CA 95010

1/11/2019 1:48:20 PM
\\NEW\FUSE\Proj - Files\Architecture\HOWARD GROUP\Main\House\HOUSE 01 - REV\DWG\ATT HOWARD_REV.DWG

PROPOSED FLOOR PLAN - LEVEL 02

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



TOTAL SQUARE FOOTAGE LEVEL 02:
 UPSTAIRS PANTRY/OFFICE 134 SF
 GUEST BTH 02 114 SF
 GUEST BEDRM 02 114 SF
 GUEST BEDRM 01 114 SF
 GUEST BTH 021 114 SF

A2.4

© 2018 Fuse



Project Name:
 BURLINGAME RESIDENCE - HOUSE 01
 (PARCEL B)

Project Number:
 SEPARATE PLAN TO BE ASSIGNED AFTER PARCEL SPLIT

Description:
 PROPOSED FLOOR PLAN - LEVEL 02

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



Sheet Signature:

DATE: 11/11/19

BY: [Signature]

FOR: [Signature]

- 1. ISSUE DATE: DESIGN
- 2. 12/10/18 PLAN REVISION
- 3. 11/11/19 PLAN REVISION

fuse
 ARCHITECTS INC.
 411 CORKLAND AVE.
 CARPENTERS VALLEY, CA 95010

TEL: 818.174.7926
 FAX: 818.479.9225

523 BURLINGAME AVENUE, CARPENTERS VALLEY, CA 95010

BURLINGAME RESIDENCE - HOUSE 01 (PARCEL 'B')

BURLINGAME RESIDENCE - HOUSE 01 (PARCEL 'B')

523 BURLINGAME
AVENUE, CAPTOLA, CA
95010



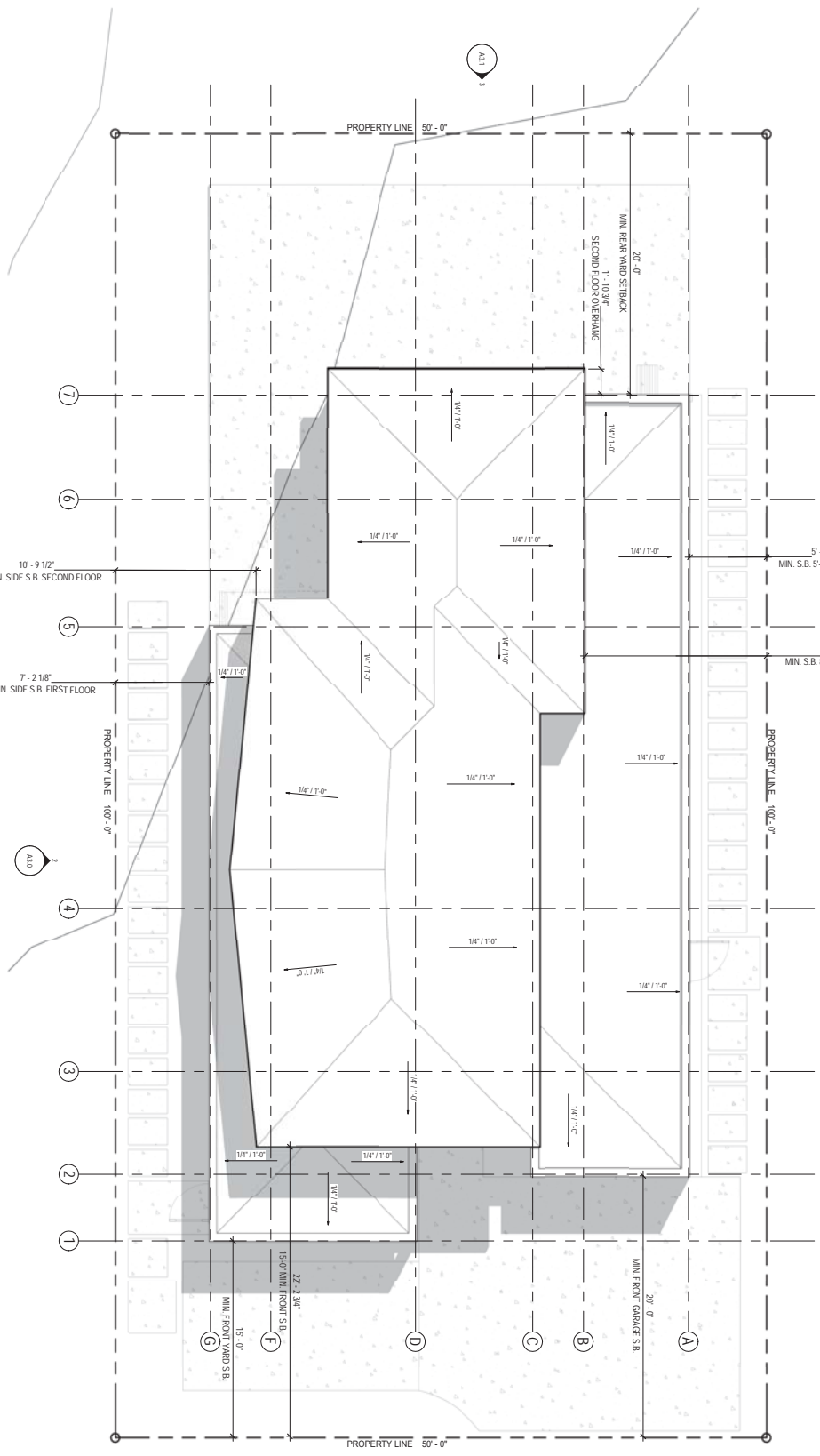
1000 BURNHAMME BL.
411 CORKLAND AVE.
CAPTOLA, CA 95010
TEL 831.747.9295
FAX 831.479.5225

- 1. ISSUE - 10/18/2018 - DESIGN
- 2. 1.00/01/18 PLAN DRAWING
- 3. 11/11/18 PLAN RESUB

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

North

1



PROPOSED ROOF PLAN

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

1



Project Name: BURLINGAME RESIDENCE - HOUSE 01 (PARCEL 'B')

Project Number: SEPARATE PLAN TO BE ASSIGNED AFTER PARCEL SPLIT

Description: PROPOSED ROOF PLAN

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

North

A2.6

© 2018 Fuse

to be framed with assorted low growing succulents and grasses - (#11, #13, #5)
 NOTE: In Addition: area may have taller growing plants - #4 & #3
 to be framed around the base with hardy agave & grasses - #14, #9 & #11 & #15
 Please note: Select plants may be omitted from planting plan based on owner's discretion.

#9, #14 & #13 #10 Grasses, Agave & Succulents
 NOTE: In Addition: area may have taller growing plants - #4 & #3
 to be framed around the base with hardy agave & grasses - #14, #9 & #11 & #15
 Please note: Select plants may be omitted from planting plan based on owner's discretion.

Please Note: CMC 12.12.80 requires that, as a part of review of development applications on vacant properties, there is a fifteen percent (15%) coverage of tree canopy, consisting of flowering, deciduous trees, and ever-green trees.
 Landscape plan shows location of trees - based on area of parcel.
 Tree coverage shall be approximately 15% or 750 sq. ft. of 5,000 sq. ft. parcel for Residential parcels and 15% of the 8,000 sq. ft. commercial parcel or 1,200 sq. ft.

Parcel 'A' - 8,000 sq. ft. / 1,200 sq. ft. min. Proposed: approx. 1,412 sq. ft. with four (4) large canopy trees (as follows):
 A. Crepe Myrtle - approx. 78 sq. ft.
 B. Acacia - approx. 314 sq. ft. canopy
 C. Acacia - approx. 314 sq. ft. canopy
 D. Large Palm - approx. 706 sq. ft. canopy

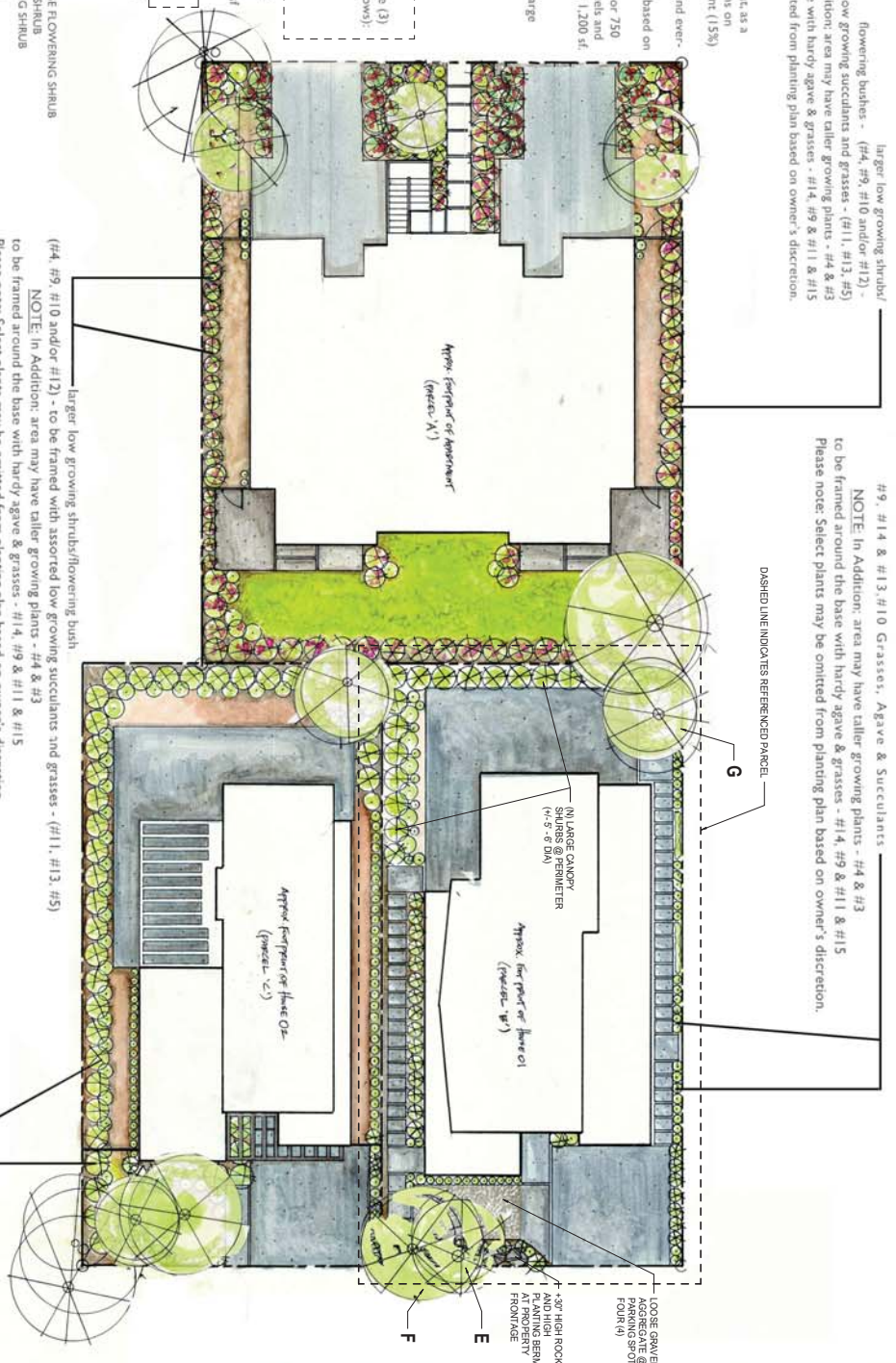
Parcel 'B' & 'C' - 5,000 sq. ft. / 750 sq. ft. each Proposed approx. 782 sq. ft. (each) with three (3) large canopy trees on each parcel (as follows):
 E. Crepe Myrtle - approx. 314 sq. ft. canopy
 F. Crepe Myrtle - approx. 314 sq. ft. canopy
 G. Acacia - 490 sq. ft. canopy

PERCENTAGE OF LANDSCAPED AREA

PARCEL 'A' (Apartments): 40% or 3,198 sq. ft. of 8,000 sq. ft. parcel
 PARCEL 'B' (House 01): 30% or 1,516 sq. ft. of 5,000 sq. ft. parcel.
 PARCEL 'C' (House 02): 40% or 1,996 sq. ft. of 5,000 sq. ft. parcel.

PLANT LEGEND -

- #1. HELIOPSIS QUINQUELOBA - LARGE FLOWERING SHRUB
- #2. RETROSAEOLA - LARGE FLOWERING SHRUB
- #3. ABUTILON HYBRIDUM - LARGE FLOWERING SHRUB
- #4. LONCHITIS LONGIFOLIA - LARGE FLOWERING SHRUB
- #5. LONCHITIS LONGIFOLIA - LARGE FLOWERING SHRUB
- #6. CANTONIA VARIOSA - SMALL SHRUB
- #7. ESCALONIA - SMALL SHRUB
- #8. LANTANA - SMALL SHRUB
- #9. PHORNIUM - ASSORTED COLORED GRASSES
- #10. EUPHORBIA TRIPLICATA - STIFF GRASS-LIKE SHRUB
- #11. LONCHITIS LONGIFOLIA BREEZE - ASSORTED GRASSES
- #12. SEDUM - SMALL LOW-GROWING PLANTS
- #13. ASSORTED ECHINACEA - ASSORTED SUCCULENTS (HENS-CHICKS)
- #14. AGAVE ATTENUATA - LARGE SMALL CACTUS/SUCCULENTS
- #15. GIANT BIRD OF PARADISE - LARGE SMALL SHRUB



(#4, #9, #10 and/or #12) - to be framed with assorted low growing shrubs/flowering bush
 NOTE: In Addition: area may have taller growing plants - #4 & #3
 to be framed around the base with hardy agave & grasses - #14, #9 & #11 & #15
 Please note: Select plants may be omitted from planting plan based on owner's discretion.

Adjacent to larger low growing shrubs/flowering bushes - (#4, #9, #10 and/or #12) - to be framed with assorted low growing succulents and grasses - (#11, #13, #5)
 NOTE: In Addition: area may have taller growing plants - #4 & #3
 to be framed around the base with hardy agave & grasses - #14, #9 & #11 & #15
 Please note: Select plants may be omitted from planting plan based on owner's discretion.

HOWARD RESIDENCE / HOUSE 02 LANDSCAPE PLAN

CAPITOLA AVE / CURRENTLY 523 BURLINGAME AVE
 December 13, 2018

411 CAPITOLA AVENUE
 CAPITOLA, CALIFORNIA 95010
 831.678.0810
 831.678.0810



BURLINGAME RESIDENCE - HOUSE 01 (PARCEL 'B')

523 BURLINGAME AVENUE CAPITOLA, CA 95010

fuse
 LANDSCAPE ARCHITECTS
 411 CAPITOLA AVE. CAPITOLA, CA 95010
 831.678.0810

REV	ISSUE	DATE	DESCRIPTION
0	1	02/14/18	SCHEMATIC PLANNING
1	2	12/13/18	PLAN DESIGN
2	3	11/19/18	PLAN DESIGN

Project Name: BURLINGAME RESIDENCE - HOUSE 01 (PARCEL 'B')

Project Number: SEPARATE PLAN TO BE ASSIGNED AFTER PARCEL SET.

Designation: LANDSCAPE PLAN

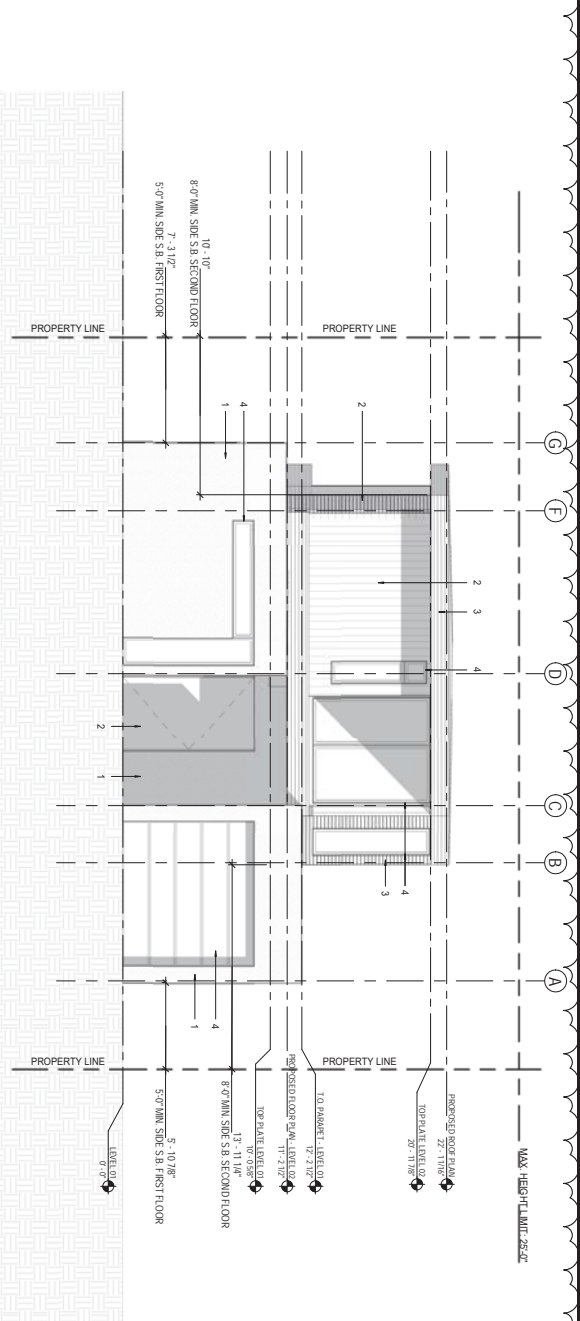
Scale: 1/8" = 1'-0"

North

A2.7

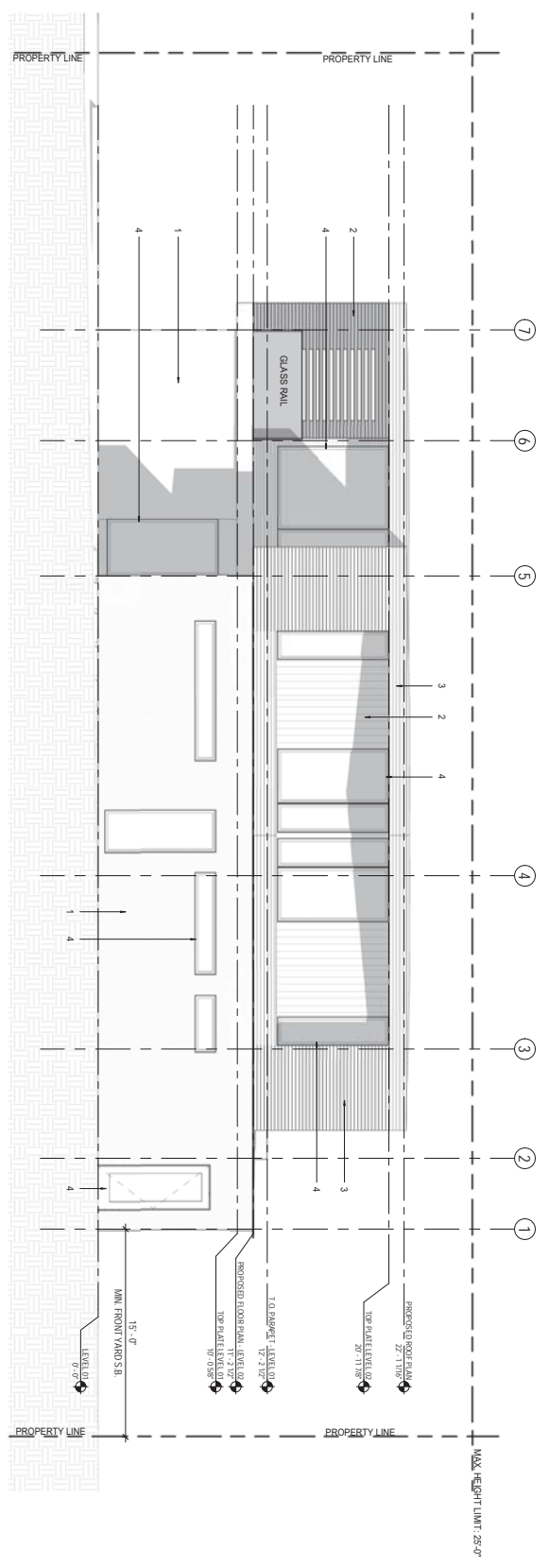
© 2018 Fuse

INVENTOR: Fuse, Pasadena/Howard Group/Parcels House/House 01 - REV/2/11/17 HOWARD REV02.M



WEST ELEVATION

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



NORTH ELEVATION

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

BURLINGAME RESIDENCE - HOUSE 01 (PARCEL 'B')

523 BURLINGAME AVENUE, CAPITOLA, CA 95010



4111 CAPITOLA AVE. CAPITOLA, CA 95010

Issue	Date	Version
0	1/24/18	INITIAL PLANNING
1	2/1/18	FINAL PLAN RESUB
2	3/11/18	FINAL PLAN RESUB



Project Name: BURLINGAME RESIDENCE - HOUSE 01 (PARCEL 'B')

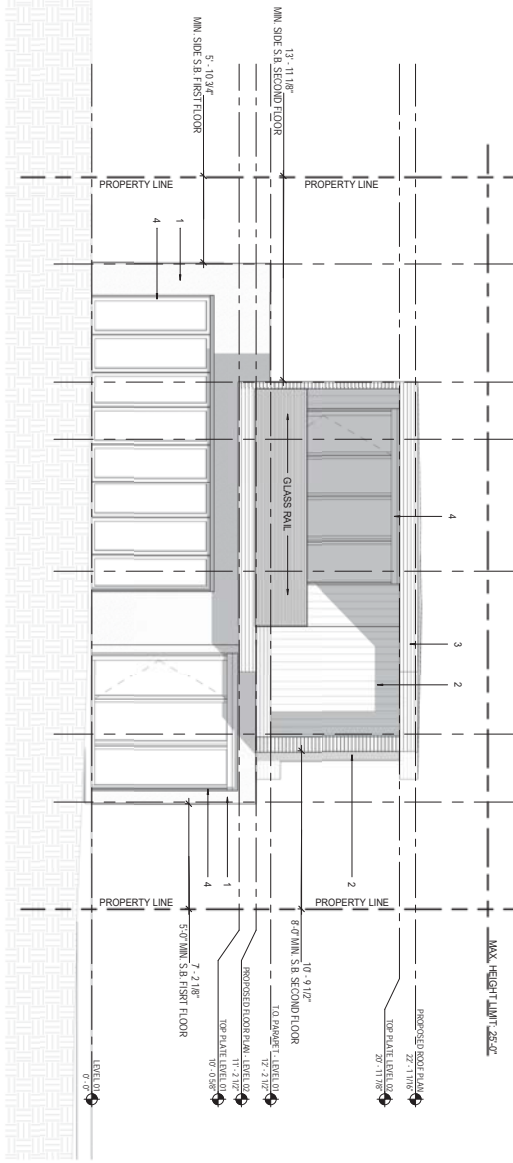
Project Number: 2. SEPARATE FROM TO BE ASSIGNED AFTER PARCEL SP'LL

Description: PROPOSED EXTERIOR ELEVATIONS

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

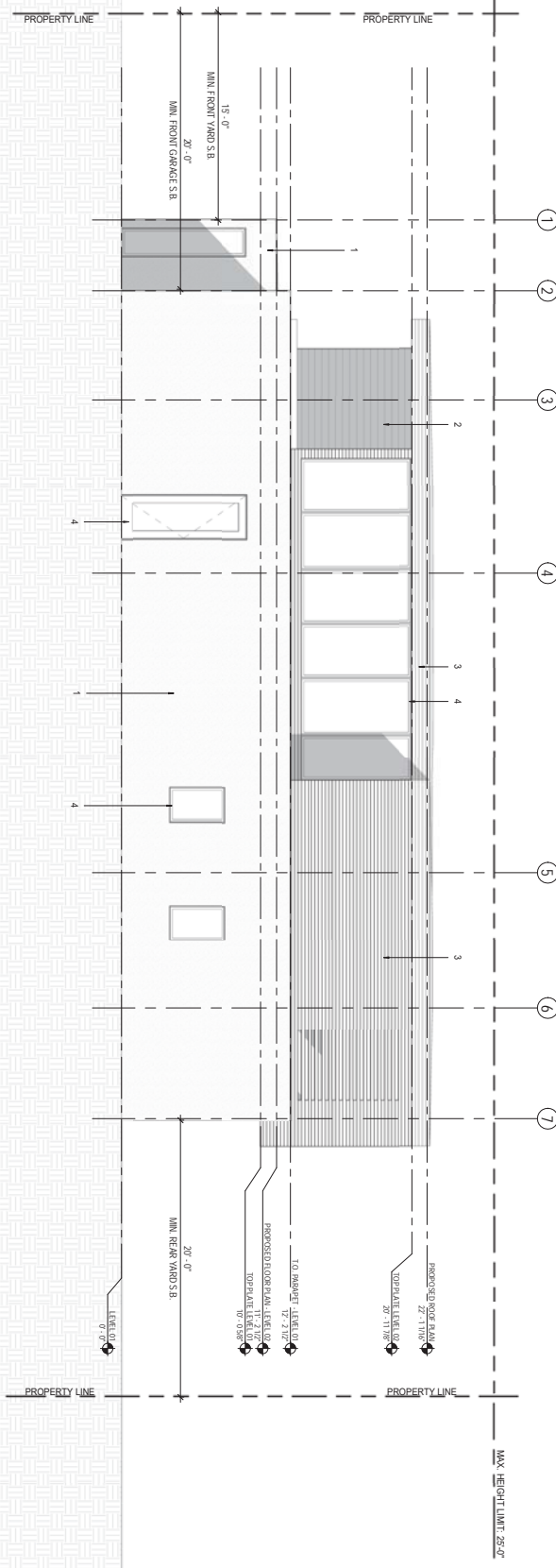
A3.0

© 2018 Fuse



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

3



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

4

**BURLINGAME
RESIDENCE -
HOUSE 01
(PARCEL 'B')**

523 BURLINGAME
AVENUE, CAPITOLA, CA
95010

fuse
ARCHITECTS INC.
4111 CAPITOLA AVE.
CAPITOLA, CA 95010
TEL: 831.479.9095
FAX: 831.479.9235

Issue	Date	Notes
0	1/20/18	06/01/18 PLANNING
1	2/14/18	PLN RESUB
2	3/11/18	PLN RESUB
3	1/11/18	PLN RESUB



Project Name:
BURLINGAME RESIDENCE - HOUSE 01
(PARCEL 'B')

Project Number:
3. RESUBMIT PLAN TO BE
ASSIGNED AFTER PARCEL 'B' #11

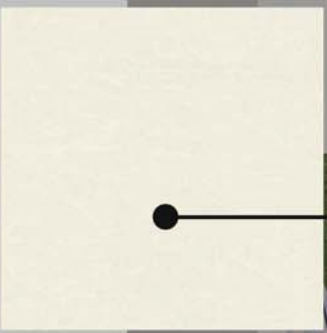
Description:
PROPOSED EXTERIOR ELEVATIONS

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

A3.1
© 2018 Fuse



1. STUCCO



2. VERTICAL NATURAL CEDAR ACCENT - BLEACHED WHITE STAIN FINISH



3. HPL PANEL CEDAR FINISH



4. DARK BRONZE ALUMINUM WINDOW / DOOR TRIM



HOWARD RESIDENCE - HOUSE ONE MATERIALS BOARD

523 BURLINGAME AVENUE
DECEMBER 13, 2018

411 CAPITOLA AVENUE
CAPITOLA, CALIFORNIA 95010

831.879.9095
831.879.9225



BURLINGAME RESIDENCE - HOUSE 01 (PARCEL 'B')

523 BURLINGAME AVENUE, CAPITOLA, CA 95010

fuse 
SUN ARCHITECTS INC.
411 CAPITOLA AVE.
CAPITOLA, CA 95010
TEL 831.879.9095
FAX 831.879.9225

Issue	Date	Notes
0	1	ISSUE FOR PLANNING
1	2	1/24/18 PLAN RESUB
2	3	1/11/18 PLAN RESUB



Project Name
BURLINGAME RESIDENCE - HOUSE 01 (PARCEL 'B')

Project Number
1. SEPARATE PLAN TO BE ASSIGNED AFTER PARCEL 'B' 11

Description
MATERIALS BOARD

Scale

A3.2

© 2018 Fuse

PROJECT INFORMATION

SCOPE OF WORK: EXISTING BUILDING TO BE DEMOLISHED AND REPLACED WITH SINGLE FAMILY HOME.
BUILDING ADDRESS: 523 BURLINGAME AVENUE, CAPITOLA, CA 95010
CONSTRUCTION TYPE: V8
PARCEL ZONING: R-1
FIRE PROTECTION: SPRINKLERED
NUMBER OF STORIES: 2
ALLOWABLE FLOOR AREA: 50% F.A.R. 9000, 1 PARCEL = 2,500 S.F. MAX.

SETBACKS

PROPOSED BUILDING SETBACKS OFF-HOUSE LOT LINE:
REAR (min. 20% of lot depth): 20'-0"
FRONT (min. 15' setbacks strip): 15'-0"
SIDE (min. 5' setbacks strip): 5'-0"
LEVEL (2') W/O SITE (min. 5% lot width): 8'-0"
REQUIRED PARKING: THREE (3) SPACES

OVERALL DEVELOPMENT STATISTICS

EXISTING TOTAL PARCEL COVERAGE: 41.24% (S.F.)
PROPOSED DEVELOPMENT COVERAGE: 1.68% (S.F.)
PROPOSED OVERALL COVERAGE: 2.03% (S.F.)
TOTAL PROPOSED PARCEL COVERAGE: 63.88% (S.F.)
BASE RATE: ALL ITEMS PERTAINING TO EACH BUILDING SINGLE USE / SETBACKS AS SHOWN ON SHEET A-1.1 / PROPOSED ARCHITECTURAL SITE PLAN LISTED IN DATA SET ON SHEET A-1.1 / PROPOSED ARCHITECTURAL SITE PLAN THIS SHEET IS TO BE DESIGN A BULK FOR OVERALL PLANNED DEVELOPMENT.

PROJECT DESCRIPTION

EXISTING BUILDING TO BE DEMOLISHED AND REPLACED WITH A 2488 S.F. TWO (2) STORY, SINGLE FAMILY HOME.
PLEASE NOTE: THIS HOME IS ONE (1) OF THREE PROPOSED STRUCTURES PLANNED FOR THIS LOCATION ADDRESS, THERE IS A PROPOSED FUTURE PARCEL MAP INCLUDED WITH THIS PLANNING SUBMITTAL.

APPLICABLE CODES & REGS.

- 2016 California Building Code
2016 California Electrical Code
2016 California Fire Code
2016 California Mechanical Code
2016 California Plumbing Code
2016 California Energy Efficiency Standards
2016 California Green Building Code

DEFERRED SUBMITTALS

SUBMITTAL DOCUMENTS FOR DEFERRED ITEMS SHALL BE SUBMITTED TO THE ARCHITECT OR ENGINEER OF RECORD WHO SHALL REVIEW THEM AND FORWARD TO THE BUILDING OFFICIAL WITH AN APPROVAL NOTICING THAT THE DEFERRED ITEMS ARE IN GENERAL CONFORMANCE WITH THE DESIGN OF THE BUILDING. THE DEFERRED ITEMS SHALL NOT BE INSTALLED UNTIL THEIR DESIGN & SUBMITTAL DOCUMENTS HAVE BEEN APPROVED BY THE BUILDING OFFICIAL.

LOCATION MAP



VICINITY MAP



FIRE NOTES

- 1. THESE PLANS ARE IN COMPLIANCE WITH CALIFORNIA BUILDING AND FIRE CODES (BFC) PARTS 701 AND 702, AND THE DISTRICT AMENDMENTS.
2. SMOKE ALARMS SHALL BE INSTALLED ACCORDING TO THE FOLLOWING MINIMUM:
- ONE ALARM IN EACH SLEEPING ROOM
- ONE ALARM IN EACH SLEEPING ROOM OR 24 HOUR OR GREATER AND IN AN ACCESSIBLE LOCATION BY LADDER
- THERE SHALL BE ONE SMOKE ALARM ON EACH FLOOR LEVEL
- THERE SHALL BE A MINIMUM OF ONE SMOKE ALARM IN EVERY 3 CARBON MONOXIDE ALARMS SHALL BE INSTALLED ACCORDING TO THE FOLLOWING MINIMUM REQUIREMENTS:
- THERE SHALL BE AT LEAST ONE CARBON MONOXIDE ALARM ON EACH FLOOR LEVEL
- BUILDING NUMBER SHALL BE A MINIMUM OF FOUR DIGITS IN HEIGHT AND NUMBER BE NOT VISIBLE FROM THE STREET. ADDITIONAL NUMBERS SHALL BE INSTALLED ON A DIRECTIONAL SIGN AT THE PROPERTY DRIVEWAY AND 5. FOR NEW ROOFS THE COVERING SHALL BE NO LESS THAN CLASS "B" RATED ROOF.
6. A 10' FOOT CLEARANCE SHALL BE MAINTAINED AROUND AND ADJACENT TO PROTECTION OR FIRE BREAK BY REMOVING ALL BRUSH, FLAMMABLE VEGETATION, OR COMBUSTIBLE GROWTH EXCEPT SINGLE SPECIMENS COVERS. PROVIDED THEY DO NOT FORM A MEANS OF FUEL.
7. SECURITY GATES EQUIPPED WITH ELECTRONIC CONTROL DEVICES SHALL PROVIDE A KNOX KEY SWITCH OBTAINABLE FROM THE LOCAL FIRE AGENCY. A KNOX KEY SWITCH CAN BE OBTAINABLE FROM THE LOCAL FIRE AGENCY. OTHER WITH MANUAL OVERRIDE TO ALLOW OPERATION OF THE GATE DURING POWER OUTAGE.
9. A MINIMUM OF 48 HOURS NOTICE TO THE FIRE DEPARTMENT IS REQUIRED TO THE JOB COPIES OF THE BUILDING, FIRE SYSTEMS PLANS AND PERMITS MUST BE ON SITE DURING INSPECTIONS.
10. THE JOB COPIES OF THE BUILDING, FIRE SYSTEMS PLANS AND PERMITS MUST BE ON SITE DURING INSPECTIONS.
11. THE DESIGN FOR THE UNDERGROUND AND OVERHEAD REDUNDANT AUTOMATIC FIRE SPRINKLER SYSTEM TO THIS DESIGN FOR APPROVAL.
12. ALL UNDERGROUND AND PROTECTION SYSTEM WORKING DRAWINGS MUST BE SUBMITTED TO THE BUILDING OFFICIAL FOR APPROVAL.
13. ALL UNDERGROUND AND PROTECTION SYSTEM INSTALLATION SHALL BE WITH THE UNDERGROUND AND PROTECTION SYSTEM INSTALLATION POLICY.
14. ALL UNDERGROUND AND PROTECTION SYSTEM SHALL BE INSTALLED TO STANDARD PROGRAM AND SHALL REQUIRE PLAN SUBMITTAL AND PERMIT APPROVAL PRIOR TO INSTALLATION. THE STANDARD IS AVAILABLE AT THE SPRINKLER SYSTEM COMPLIANCE WITH THE CURRENTLY ADOPTED EDITION.
15. ALL FIRE ALARMS SHALL BE INSTALLED TO THE SAME COMPANY.
16. ALL FIRE ALARMS SHALL BE INSTALLED TO THE SAME COMPANY.
17. ALL FIRE ALARMS SHALL BE INSTALLED TO THE SAME COMPANY.
18. ALL FIRE ALARMS SHALL BE INSTALLED TO THE SAME COMPANY.
19. ALL FIRE ALARMS SHALL BE INSTALLED TO THE SAME COMPANY.
20. ALL FIRE ALARMS SHALL BE INSTALLED TO THE SAME COMPANY.
21. ALL FIRE ALARMS SHALL BE INSTALLED TO THE SAME COMPANY.
22. ALL FIRE ALARMS SHALL BE INSTALLED TO THE SAME COMPANY.
23. ALL FIRE ALARMS SHALL BE INSTALLED TO THE SAME COMPANY.
24. ALL FIRE ALARMS SHALL BE INSTALLED TO THE SAME COMPANY.
25. ALL FIRE ALARMS SHALL BE INSTALLED TO THE SAME COMPANY.

CONTACT INFORMATION

CLIENT: WITHELF HOWARD
PROJECT NO: 1019
CAPITOLA, CA 95010
(831) 395-9989
ARCHITECT: DANIEL J. GOMEZ
4170 BURLINGAME AVENUE
CAPITOLA, CA 95010
(831) 479-9295
OWNER: EMMERSON LAND SURVEYING
18500 SERRANO AVENUE
SAN RAFAEL, CA 94903
(415) 452-1796

DRAWING INDEX

Table with columns: Sheet Number, Sheet Name, Date, and Location. Includes sheets A0.1 through A0.3 for PROJECT INFORMATION, GENERAL NOTES, GRAPHIC SYMBOLS & ABBREVIATIONS, EXISTING SITE PLAN / SURVEY, TENTATIVE PARCEL MAP / PROPOSED PARCEL MAP, PROPOSED OVERALL MASTER SITE PLAN, PROPOSED ARCHITECTURAL SITE PLAN, PROPOSED FLOOR PLAN - LEVEL 01, PROPOSED FLOOR PLAN - LEVEL 02, LANDSCAPE PLAN, PROPOSED EXTERIOR ELEVATIONS, PROPOSED EXTERIOR ELEVATIONS, and SIGN BLENDS BOARD.

1. THESE PLANS ARE IN COMPLIANCE WITH CALIFORNIA BUILDING AND FIRE CODES (BFC) PARTS 701 AND 702, AND THE DISTRICT AMENDMENTS.
2. SMOKE ALARMS SHALL BE INSTALLED ACCORDING TO THE FOLLOWING MINIMUM:
- ONE ALARM IN EACH SLEEPING ROOM
- ONE ALARM IN EACH SLEEPING ROOM OR 24 HOUR OR GREATER AND IN AN ACCESSIBLE LOCATION BY LADDER
- THERE SHALL BE ONE SMOKE ALARM ON EACH FLOOR LEVEL
- THERE SHALL BE A MINIMUM OF ONE SMOKE ALARM IN EVERY 3 CARBON MONOXIDE ALARMS SHALL BE INSTALLED ACCORDING TO THE FOLLOWING MINIMUM REQUIREMENTS:
- THERE SHALL BE AT LEAST ONE CARBON MONOXIDE ALARM ON EACH FLOOR LEVEL
- BUILDING NUMBER SHALL BE A MINIMUM OF FOUR DIGITS IN HEIGHT AND NUMBER BE NOT VISIBLE FROM THE STREET. ADDITIONAL NUMBERS SHALL BE INSTALLED ON A DIRECTIONAL SIGN AT THE PROPERTY DRIVEWAY AND 5. FOR NEW ROOFS THE COVERING SHALL BE NO LESS THAN CLASS "B" RATED ROOF.
6. A 10' FOOT CLEARANCE SHALL BE MAINTAINED AROUND AND ADJACENT TO PROTECTION OR FIRE BREAK BY REMOVING ALL BRUSH, FLAMMABLE VEGETATION, OR COMBUSTIBLE GROWTH EXCEPT SINGLE SPECIMENS COVERS. PROVIDED THEY DO NOT FORM A MEANS OF FUEL.
7. SECURITY GATES EQUIPPED WITH ELECTRONIC CONTROL DEVICES SHALL PROVIDE A KNOX KEY SWITCH OBTAINABLE FROM THE LOCAL FIRE AGENCY. A KNOX KEY SWITCH CAN BE OBTAINABLE FROM THE LOCAL FIRE AGENCY. OTHER WITH MANUAL OVERRIDE TO ALLOW OPERATION OF THE GATE DURING POWER OUTAGE.
9. A MINIMUM OF 48 HOURS NOTICE TO THE FIRE DEPARTMENT IS REQUIRED TO THE JOB COPIES OF THE BUILDING, FIRE SYSTEMS PLANS AND PERMITS MUST BE ON SITE DURING INSPECTIONS.
10. THE JOB COPIES OF THE BUILDING, FIRE SYSTEMS PLANS AND PERMITS MUST BE ON SITE DURING INSPECTIONS.
11. THE DESIGN FOR THE UNDERGROUND AND OVERHEAD REDUNDANT AUTOMATIC FIRE SPRINKLER SYSTEM TO THIS DESIGN FOR APPROVAL.
12. ALL UNDERGROUND AND PROTECTION SYSTEM WORKING DRAWINGS MUST BE SUBMITTED TO THE BUILDING OFFICIAL FOR APPROVAL.
13. ALL UNDERGROUND AND PROTECTION SYSTEM INSTALLATION SHALL BE WITH THE UNDERGROUND AND PROTECTION SYSTEM INSTALLATION POLICY.
14. ALL UNDERGROUND AND PROTECTION SYSTEM SHALL BE INSTALLED TO STANDARD PROGRAM AND SHALL REQUIRE PLAN SUBMITTAL AND PERMIT APPROVAL PRIOR TO INSTALLATION. THE STANDARD IS AVAILABLE AT THE SPRINKLER SYSTEM COMPLIANCE WITH THE CURRENTLY ADOPTED EDITION.
15. ALL FIRE ALARMS SHALL BE INSTALLED TO THE SAME COMPANY.
16. ALL FIRE ALARMS SHALL BE INSTALLED TO THE SAME COMPANY.
17. ALL FIRE ALARMS SHALL BE INSTALLED TO THE SAME COMPANY.
18. ALL FIRE ALARMS SHALL BE INSTALLED TO THE SAME COMPANY.
19. ALL FIRE ALARMS SHALL BE INSTALLED TO THE SAME COMPANY.
20. ALL FIRE ALARMS SHALL BE INSTALLED TO THE SAME COMPANY.
21. ALL FIRE ALARMS SHALL BE INSTALLED TO THE SAME COMPANY.
22. ALL FIRE ALARMS SHALL BE INSTALLED TO THE SAME COMPANY.
23. ALL FIRE ALARMS SHALL BE INSTALLED TO THE SAME COMPANY.
24. ALL FIRE ALARMS SHALL BE INSTALLED TO THE SAME COMPANY.
25. ALL FIRE ALARMS SHALL BE INSTALLED TO THE SAME COMPANY.

Project information section including project name (BURLINGAME RESIDENCE HOUSE 02), project number (A0.1), date (2/17/19), scale (1/2" = 1'-0"), and contact information for Fuse Architecture.

BURLINGAME RESIDENCE HOUSE 02 (PARCEL 'C')

523 BURLINGAME AVENUE, CAPITOLA, CA 95010



14 831 176 205
4111 CAROLAN
Capitola, CA 95010
FAX 831 717 3525

Issue	Date	Notes
0	1/08/2018	PLANNING SUBMITTAL
1	12/13/18	PLAN RESUB
2	1/17/19	PLAN RESUB



Scale:
1" = 1'-0"

Project Name:
BURLINGAME RESIDENCE HOUSE 02 (PARCEL 'C')

Project Number:
BURLINGAME RESIDENCE HOUSE 02 (PARCEL 'C')

Assigned After Daniel S. Kim:
ASSIGNED AFTER DANIEL S. KIM

Description:
EXISTING SITE PLAN SURVEY

Scale:
1" = 1'-0"

Project Name:
EXISTING SITE MAP / SURVEY

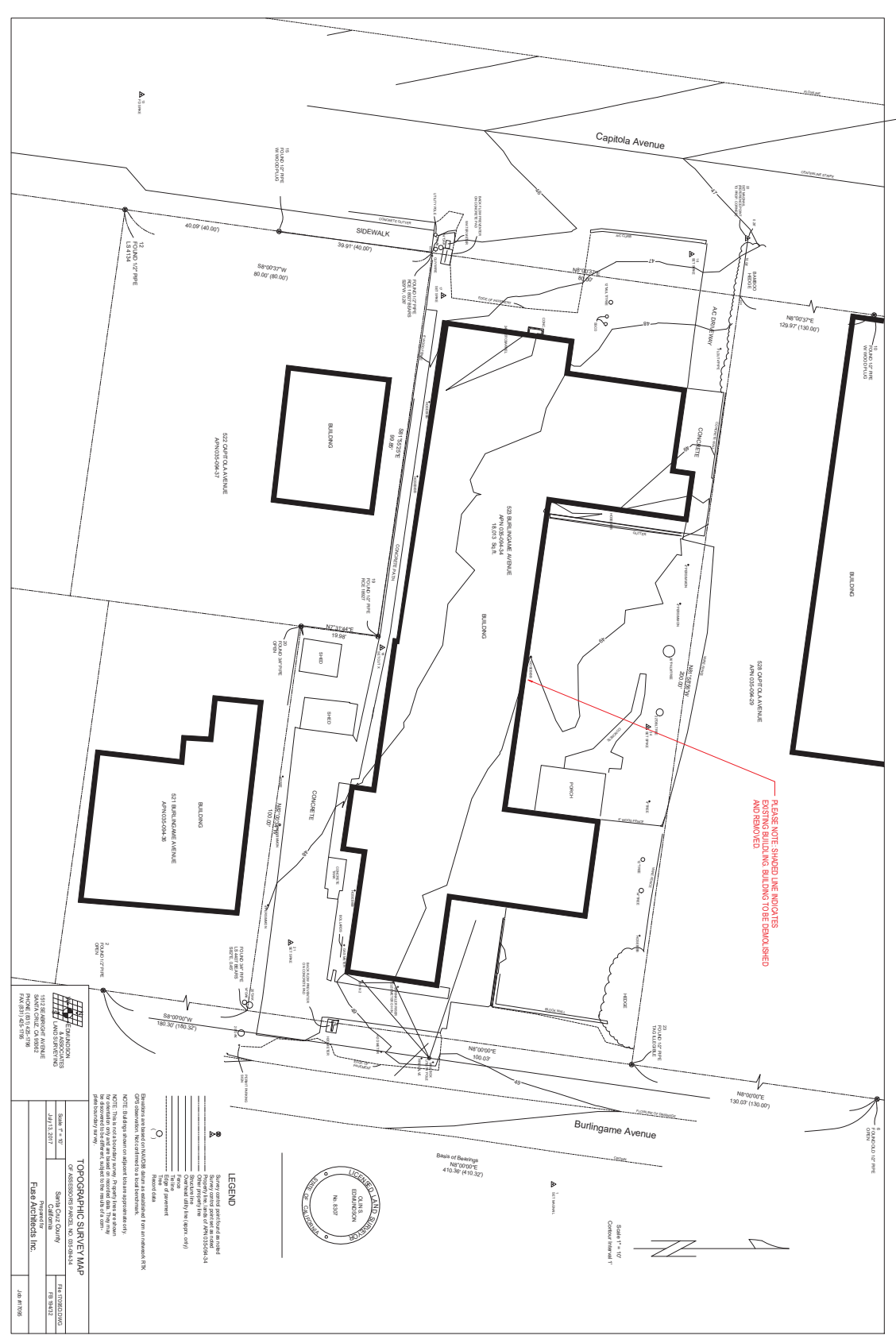
Project Number:
EXISTING SITE MAP / SURVEY

Assigned After Daniel S. Kim:
ASSIGNED AFTER DANIEL S. KIM

Description:
EXISTING SITE MAP / SURVEY

A1.1

© 2018 Fuse



EXISTING SITE MAP / SURVEY

SCALE: 1" = 1'-0"

**BURLINGAME
RESIDENCE
HOUSE 02
(PARCEL 'C')**

523 BURLINGAME
AVENUE, CAPITOLA, CA
95010

fuse
ARCHITECTURE INC.
4111 CHURCH AVE.
COSTA MESA, CA 92626
TEL: 949.440.8200
FAX: 949.440.8202

NO.	ISSUE DATE	DESCRIPTION
0	10/15/18	PRELIMINARY PLANNING
1	12/19/18	PERMITS
2	1/11/19	PLAN RESUB
3	1/11/19	PLAN RESUB

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

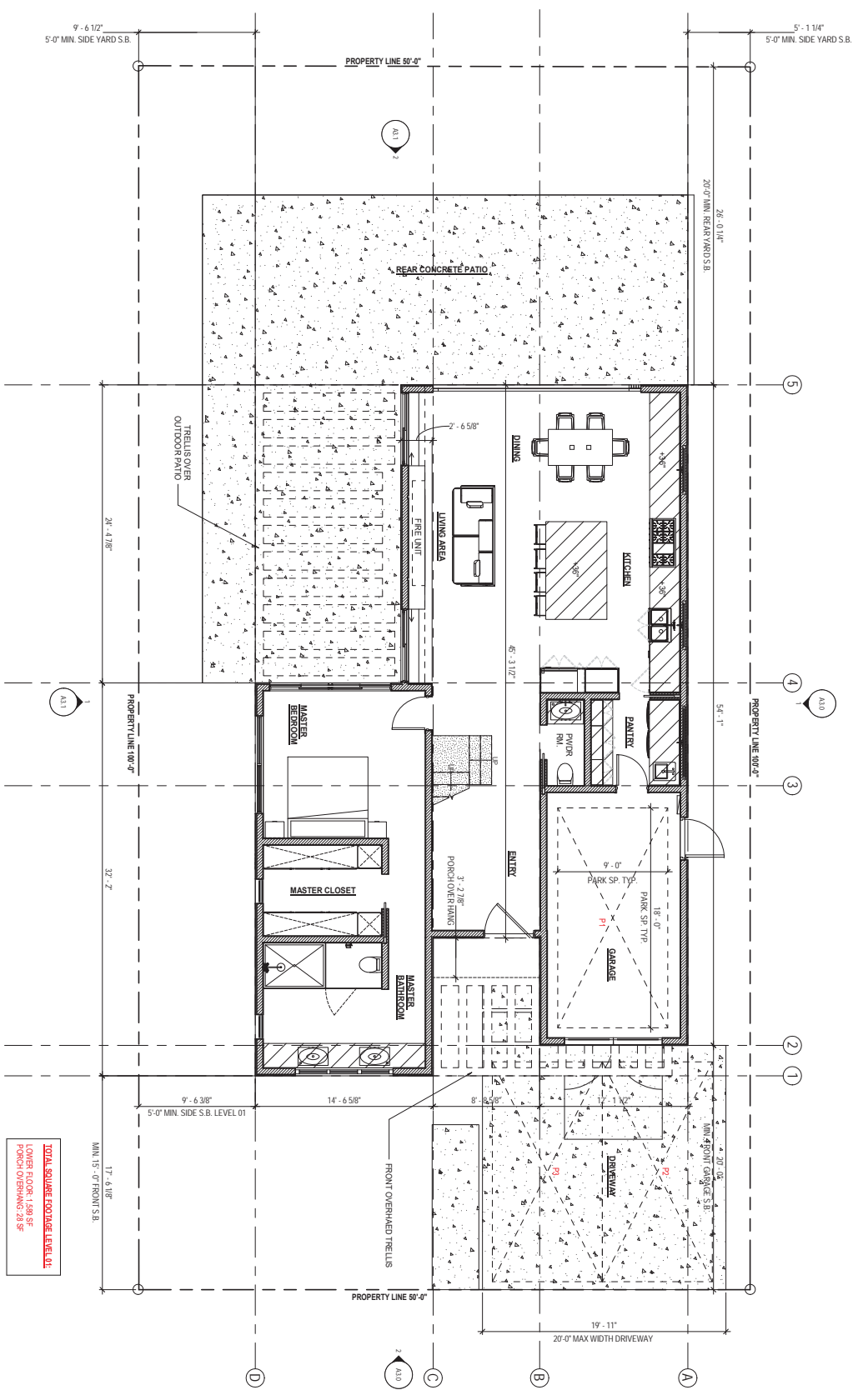
Legend:

- PROJECT NAME: BURLINGAME RESIDENCE HOUSE 02 (PARCEL 'C')
- PROJECT NUMBER: 18-000000000-0000000000
- DATE: 10/15/2018
- BY: [Signature]
- FOR: [Signature]

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

Legend:

- PROJECT NAME: BURLINGAME RESIDENCE HOUSE 02 (PARCEL 'C')
- PROJECT NUMBER: 18-000000000-0000000000
- DATE: 10/15/2018
- BY: [Signature]
- FOR: [Signature]



PROPOSED FLOOR PLAN - LEVEL 01
SCALE: 1/4" = 1'-0"

A2.3

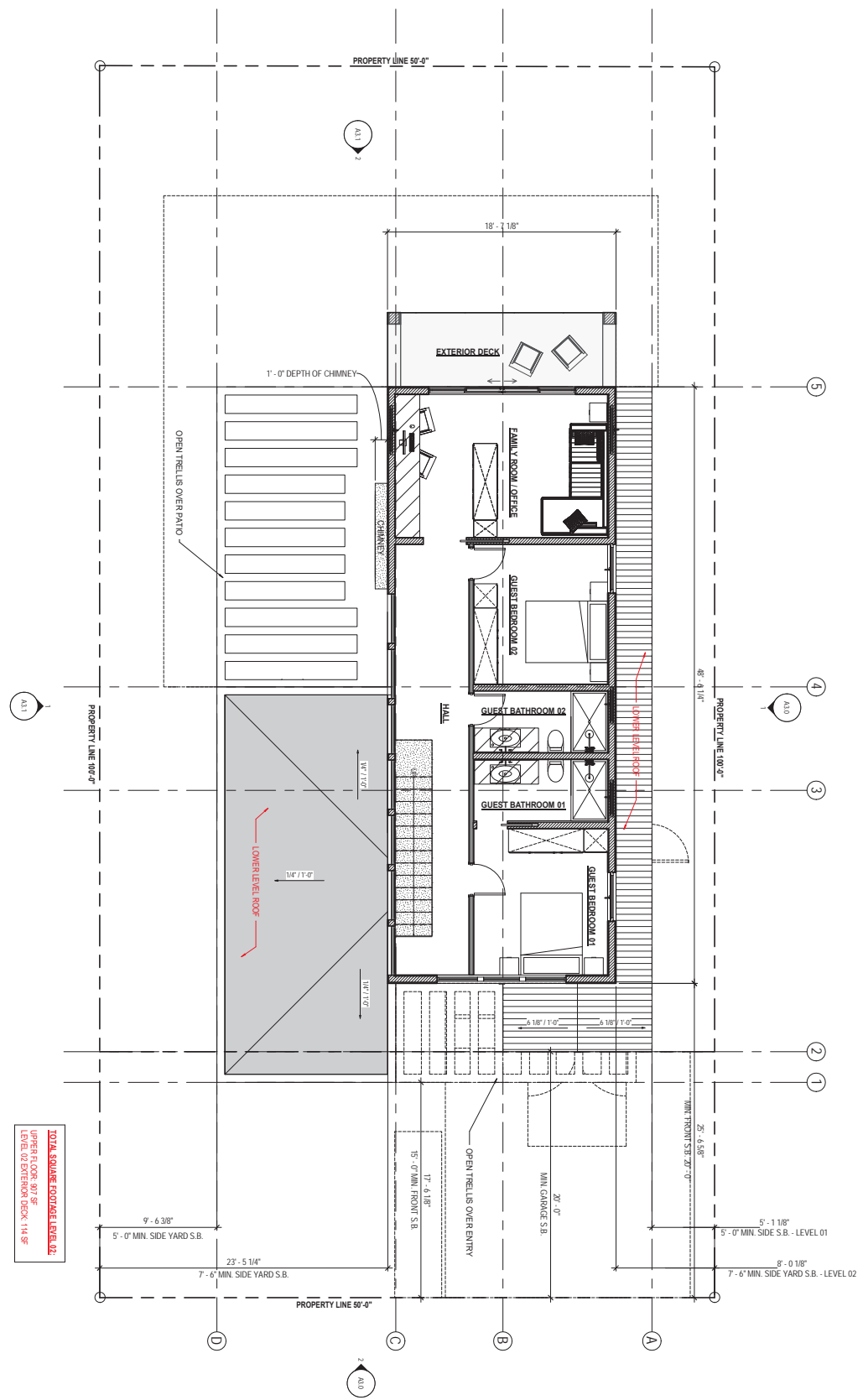
© 2018 Fuse



INVENTOR: Fuse, Pasadena/HOWARD GROUP/John & Carrie's House/IB/M/Conrad Open Through Rev/IN/REV/03/JOHN HOWARD REV/03.rvt

PROPOSED FLOOR PLAN - LEVEL 02

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



TOTAL SQUARE FOOTAGE LEVEL 02
 UPPER FLOOR: 907 SF
 LEVEL 02 EXTERIOR DECK: 174 SF

A2.4

© 2018 Fuse

**BURLINGAME
 RESIDENCE
 HOUSE 02
 (PARCEL 'C')**

523 BURLINGAME
 AVENUE, CAPITOLA, CA
 95010



Issue	Date	Description
0	1	08/04/18 BLANKING SUBMITTAL
1	2	12/13/18 PLAN RESUB
2	3	1/11/19 PLAN RESUB



Project Name:
 BURLINGAME RESIDENCE HOUSE 02 (PARCEL 'C')

Project Number:
 ASSESSOR'S SEPARATE PLAN TO BE ASSIGNED AFTER PARCEL SPLIT

Description:
 PROPOSED FLOOR PLAN - LEVEL 2

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

**BURLINGAME
RESIDENCE
HOUSE 02
(PARCEL 'C')**

523 BURLINGAME
AVENUE, CAPITOLA, CA
95010



Issue	Date	Notes
0	1/20/19	ISSUE FOR SUBMITTAL
1	1/21/19	ISSUE FOR SUBMITTAL
2	1/21/19	ISSUE FOR SUBMITTAL
3	1/17/19	ISSUE FOR SUBMITTAL



Project Name:
BURLINGAME RESIDENCE HOUSE 02 (PARCEL 'C')

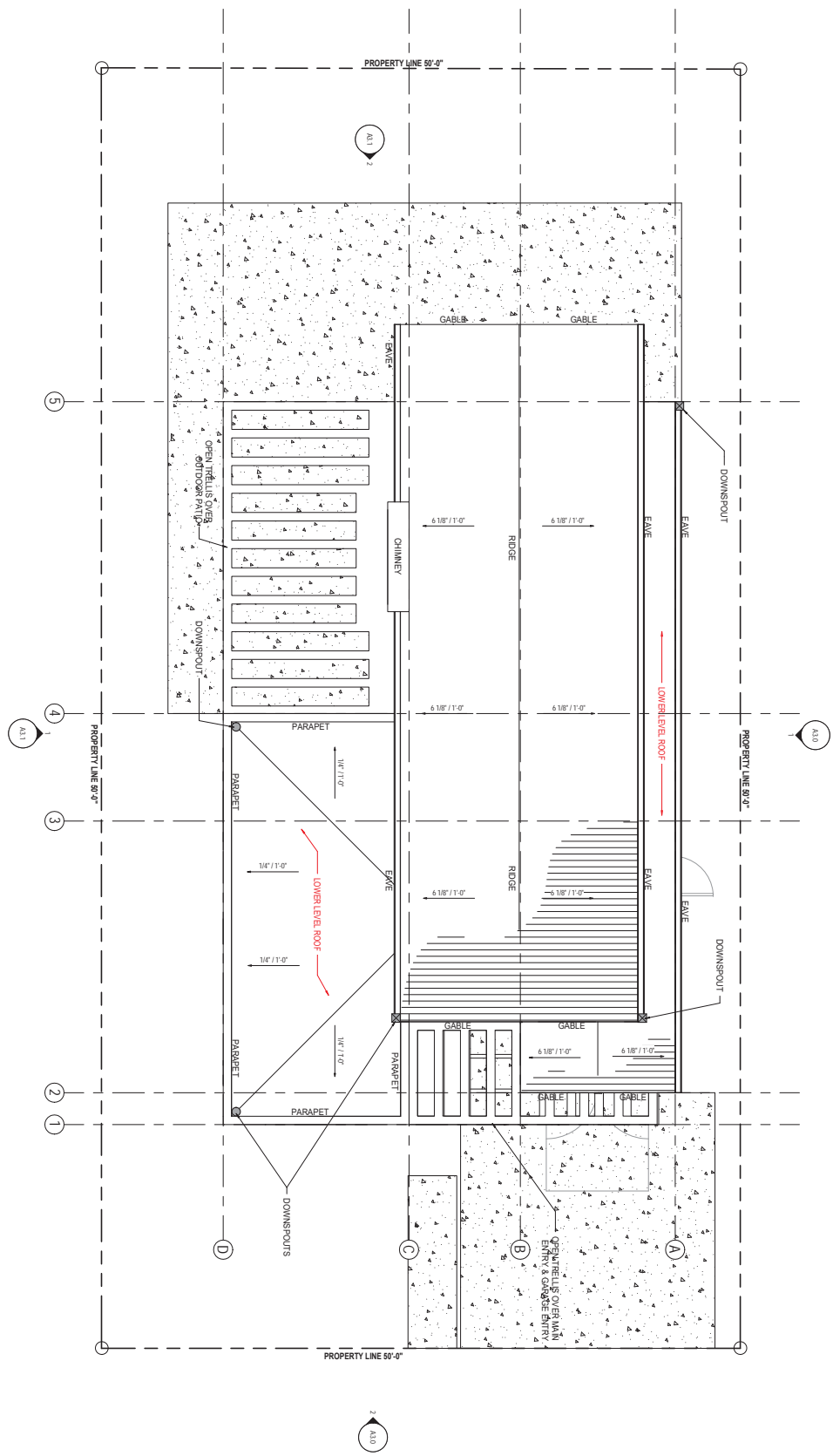
Project Number:
144 831.179.5026
ASSIGNED AFTER PARCEL SW1

Description:
PROPOSED ROOF PLAN

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

A2.6

© 2018 Fuse



PROPOSED ROOF PLAN

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

11/17/2019 2:08:47 PM

W:\M\15\Fuse - Pasadena\HOWARD GRAD\Plan & Cam's House\BIM\Central Open Through Road\NEW REV\03\JOHN HOWARD REV\03.rvt



HOWARD RESIDENCE / HOUSE 02 LANDSCAPE PLAN

CAPITOLA AVE / CURRENTLY 523 BURLINGAME AVE
December 13, 2018

411 CAPITOLA AVENUE
PASADENA, CA 91106

818.478.2000 (O)
818.478.2022 (F)

A2.7

© 2018 Fuse

larger low growing shrubs/ flowering bushes - (#4, #9, #10 and/or #12) - to be framed with assorted low growing succulents and grasses - (#11, #13, #15)
NOTE: In Addition, area may have taller growing plants - #14, #9 & #11 & #15 to be framed around the base with hardy agave & grasses - #14, #9 & #11 & #15
Please note: Select plants may be omitted from planting plan based on owner's discretion.

#9, #14 & #13, #10 Grasses, Agave & Succulents - #4 & #3
NOTE: In Addition, area may have taller growing plants - #14, #9 & #11 & #15 to be framed around the base with hardy agave & grasses - #14, #9 & #11 & #15
Please note: Select plants may be omitted from planting plan based on owner's discretion.

Please Note: CPMC 12.12.180 requires that, as a part of review of development applications on vacant properties, there is a fifteen percent (15%) coverage of tree canopy, consisting of flowering deciduous trees, and evergreen trees.
Landscape plan shows location of trees - based on area of parcel.
Tree coverage shall be approximately 15% or 750 sq. ft. of 5,000 sq. ft. parcel for Residential parcels and 15% of the 8,000 sq. ft. commercial parcel or 1,200 sq. ft.

Parcel 'A' - 8,000 sq. ft. / 1,200 sq. ft. min. Proposed approx. 1,412 sq. ft. with four (4) large canopy trees (as follows):
A. Crepe Myrtle - approx. 78 sq. ft.
B. Acacia - approx. 314 sq. ft. canopy
C. Acacia - approx. 314 sq. ft. canopy
D. Large Palm - approx. 706 sq. ft. canopy

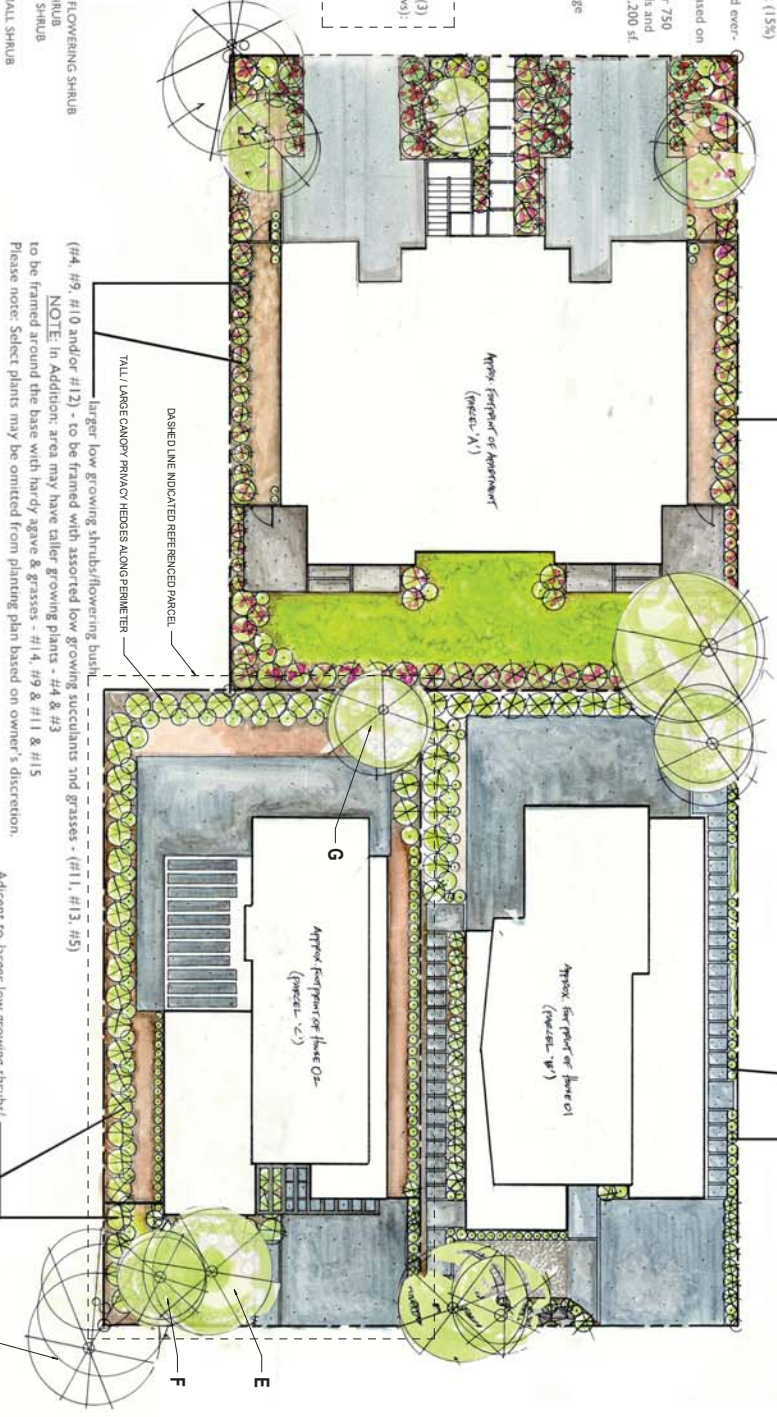
Parcel 'B' & 'C' - 5,000 sq. ft. / 750 sq. ft. (each) Proposed approx. 782 sq. ft. (each) with three (3) large canopy trees on each parcel (as follows):
E. Crepe Myrtle - approx. 314 sq. ft. canopy
F. Crepe Myrtle - approx. 314 sq. ft. canopy
G. Acacia - 490 sq. ft. canopy

PERCENTAGE OF LANDSCAPED AREA:

PARCEL 'A' (Apartments): 40% or 3,198 sq. ft. of 8,000 sq. ft. parcel
PARCEL 'B' (House 01): 30% or 1,516 sq. ft. of 5,000 sq. ft. parcel
PARCEL 'C' (House 02): 40% or 1,996 sq. ft. of 5,000 sq. ft. parcel.

PLANT LEGEND -

- #1. HELIOPSIS QUINQUEVENNA - LARGE FLOWERING SHRUB
- #2. HEDERA - LARGE FLOWERING SHRUB
- #3. ASHLEUFA MANDARINA - LARGE FLOWERING SHRUB
- #4. ECHINUM CANDIDIANUM - SMALL SHRUB
- #5. LITHOSPERMUM PLEBEIUM (SEA LAVENDER) - SMALL SHRUB
- #6. ACHILLEA YARRROW - SMALL SHRUB
- #7. ESCALLONIA - SMALL SHRUB
- #8. LANтана - SMALL SHRUB
- #9. PHORNIUM - ASSORTED COLORED GRASSES
- #10. EUPHORBIA TIRUCALLI - STIFF GRASS-LIKE SHRUB
- #11. LOMANDRA LONGIFOLIA BREEZE - ASSORTED GRASSES
- #12. SENIUM - SMALL LOW-GROWING PLANTS
- #13. ASSORTED ECHINERIA - ASSORTED SUCCULENTS (HEN'S CHICKS)
- #14. AGAVE ATTENUATA - LARGESMALL CACTUS/SUCCULENTS
- #15. GIANT BIRD OF PARADISE - LARGESMALL SHRUB



BURLINGAME RESIDENCE HOUSE 02 (PARCEL 'C')

523 BURLINGAME AVENUE, CAPITOLA, CA 95010



144 831.076.2026
144 831.076.2025
818.478.2022

Issue	Date	Description
0	1	ISSUE 01 - DESIGN PLAN SUBMITTAL
1	2	1/27/18 PLAN RESUB
2	3	1/17/18 PLAN RESUB

Scale: _____

Project Name: BURLINGAME RESIDENCE HOUSE 02 (PARCEL 'C')

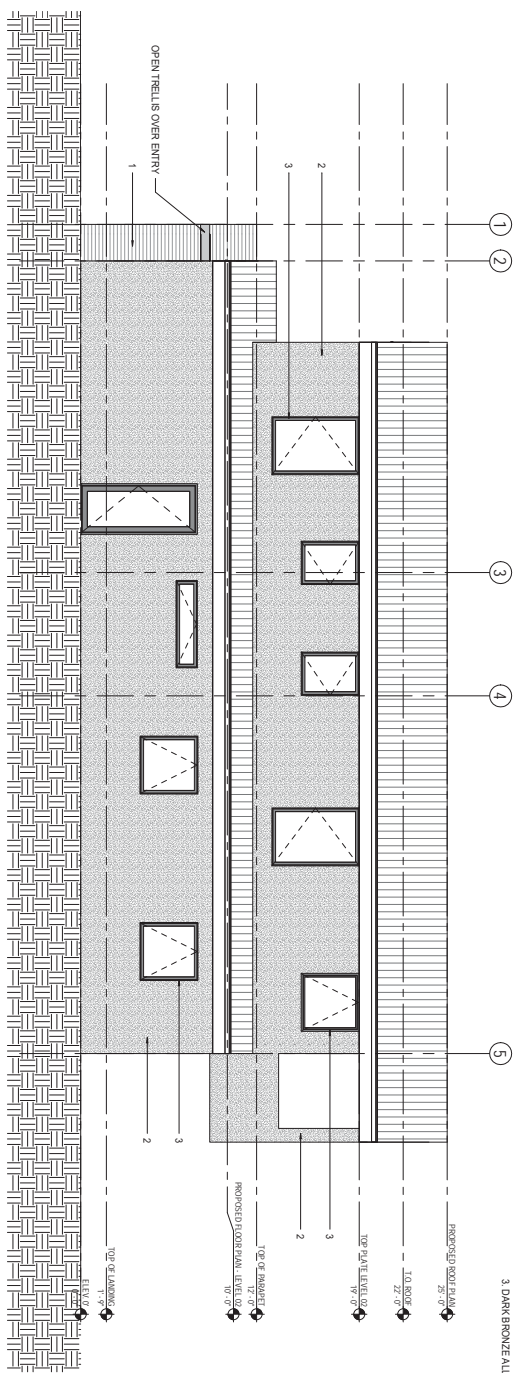
Project Number: _____

ASSIGNED AFTER PARCEL SW 1

Description: LANDSCAPE PLAN

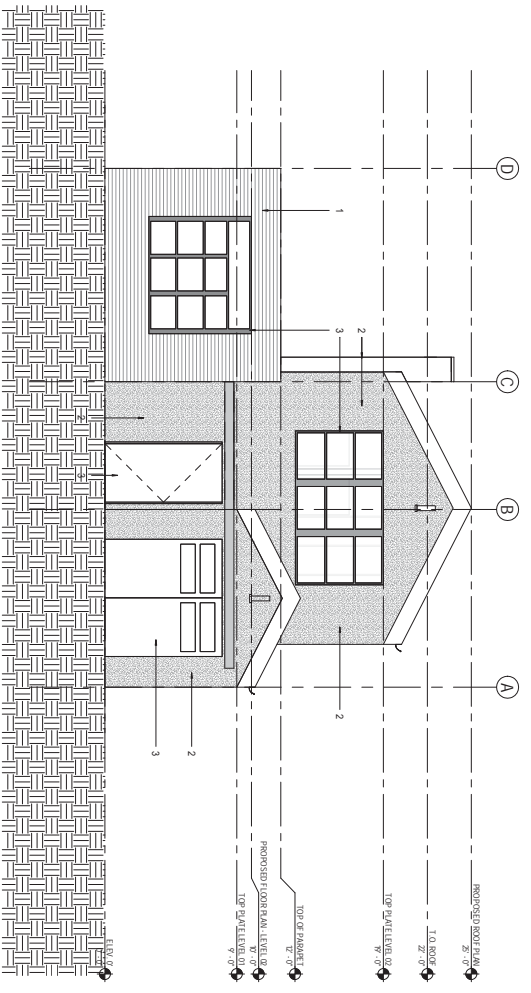
Scale: _____

A2.7



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

- EXTERIOR MATERIAL LEGEND:
- 1. IFR. PANEL - CEDAR FINISH
 - 2. INTEGRAL COLOR STUCCO - WHITE / CREAM
 - 3. DARK BRONZE ALUMINUM DOOR / WINDOW TRIM / FINISH



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

**BURLINGAME
RESIDENCE
HOUSE 02
(PARCEL 'C')**

523 BURLINGAME
AVENUE, CAPITOLA, CA
95010



Issue	Date	Notes
0	1.06.18	01.04.18 PLANNING SUBMITTAL
1	2.12.18	1.21.18 PLN RESUB
2	3.11.19	1.11.19 PLN RESUB



Project Name: BURLINGAME RESIDENCE HOUSE 02 (PARCEL 'C')

Project Number: 19-00000-01 (SEPARATE PLAN TO BE ASSIGNED AFTER PARCEL SW)

Description: PROPOSED EXTERIOR ELEVATIONS

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

Date: 02/18/2019

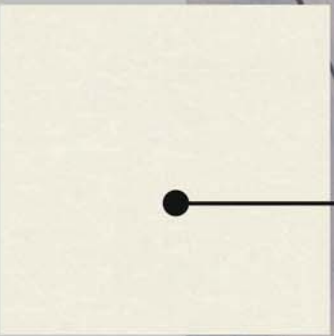
A3.0
© 2018 Fuse



1. TRESPA PURA PANEL -
MYSTIC CEDAR FINISH



2. WHITE STUCCO



3. DARK BRONZE ALUMINUM
WINDOW TRIM



BURLINGAME RESIDENCE - HOUSE TWO MATERIALS BOARD
523 BURLINGAME AVENUE



ARCHITECTURAL RENDERING
CAPITOLA ARCHITECTURE
523 BURLINGAME AVENUE
95010



**BURLINGAME
RESIDENCE
HOUSE 02
(PARCEL 'C')**

523 BURLINGAME
AVENUE, CAPITOLA, CA
95010



Issue	Date	Revision
0	1/10/2018	BLANKING SUBMITTAL
1	1/27/2018	PLAN RESUB
2	1/11/19	PLAN RESUB

Seal/Signature



Project Name
BURLINGAME RESIDENCE HOUSE 02
(PARCEL 'C')

Project Number
AS SHOWN ON SEPARATE PLAN TO BE
ASSIGNED AFTER PARCEL SW 11

Description
MATERIALS BOARD

Scale
1/8" = 1'-0"

A3.2

© 2018 Fuse

Attachment 'A'

1. Design Criteria for parking / driveway layout for the proposed apartments at 523 Burlingame Ave, as it pertains to the frontage at Capitola Avenue.

Parking configuration for the four (4) unit apartment building is proposed to house six (6) covered vehicles inside ground level, private garages – independent of one another.

Also, there will be room for two (2) vehicles, uncovered directly in front of the two (2) middle units.

Each parking corridor is accessed via two (2) individual driveways along Capitola Avenue, 15'-0" in width (as shown on plan set dated 01/11/2019). Each 15'-0" provides access through the entirety of the required 15'-0" deep landscape area, then branches off to allow each unit their own access to enter into their garage.

- a. ***Speaking from a design/architectural perspective;*** This parking configuration is most appealing because it accentuates and enhances the overall design of the front of the proposed building. Our overall design intention is to create an environment where each unit looks, feels and functions independently, to achieve this we have staggered the two (2) interior garages to break up the façade, to create variation in the frontage of the building and also to provide larger landscaped areas.

Organization of space:

- i. Ground level private garden space paired with shared center stair access.
 - ii. Private second level decks looking out over Capitola Ave to encourage community interaction paired with a communal breezeway to access each tucked away apartment entry.
 - iii. Emphasis on the balance of privacy and community was paramount in our design and establishing a lush, stylish frontage was key in this proposed configuration.
- b. ***Speaking from the perspective of the client;*** Although the client is thrilled about the way the building looks - the proposed apartment building and parking configuration is most advantageous for them, coming from a more personal / family point of view.

The client(s) are comprised of two families; Of which, the fathers of these two families are brothers – collectively, they are the Howards.

The purpose in purchasing and developing the entire 18,000 sf parcel is to create a forever home for themselves and a solid, permanent base for their families to grow, age and change in an organic way .

Within this expanding family exists one member who has mild to moderate autism, his name is Andrew Howard; His mother, Carrie Howard has written a detailed letter (attached to this packet, labeled: 'Attachment B') articulating their shared perspective as it pertains to how they will utilize the proposed apartment building and how the associated parking configuration will benefit their family's future (please reference attachment).

Attachment 'A' – Continued:***Summary:***

As pedestrians walk along the newly installed sidewalk along Capitola Avenue we hope they take notice of the newly incorporated trees, the meticulously manicured landscape and the new residents/neighbors occupying the attractive apartments now tucked into their village community.

Overall, considering the proposed building frontage and street-scape on Capitola Avenue, the proposed design of the apartment building and the associated parking best addresses look, feel and function for client(s) as well as for the City of Capitola.

As a brief overview of main points - we are proposing to incorporate (among other items):

- Continuous ADA sidewalk for pedestrian walkway.
- Minimal driveway curb cuts leading to building access points to prohibit cars from parking in any other location besides the allocated unit space, tucked close to the building – leaving landscape areas undisturbed.
- Ample, manicured landscape with new large canopy trees along frontage to frame and screen building in greenery.
- Clean & stylish garage doors for car access.
- Introduce four (4) moderately sized apartments with an easily accessible and attractive parking configuration into a central location in Capitola Village to help remedy the housing shortage and also to enhance the intimate community environment.
- By virtue of the driveway layout; The 15'-0" width of each driveway entry serves solely as an access point for the covered parking. Parking will not be ideal in the driveways as it would block access to the garage spaces – This will require tenants to park their cars out of sight.

Attachment 'A' – continued:

2. Design Criteria for parking / driveway layout for the proposed Residence at 523 Burlingame Ave (ref: 'House 01' – Parcel 'B') as it pertains to the frontage at Burlingame Avenue. This portion of submittal attachment is to satisfy 'Driveway Width Exception Request.'

Parking configuration for 'House 01' on parcel 'B' is proposed to accommodate a single-family home with an attached ADU. We are proposing the required four (4) parking spaces on the property; Comprised of one (1) covered parking space within an attached garage and three (3) uncovered parking spaces (see submitted plan set dated 1/11/2019). To accommodate the ADU we have proposed to place the fourth required parking spot to be located along the front of the home – parallel to Burlingame Avenue, shrouded by large tree canopies, a landscaping barrier of at least +30" high to screen parking area from the street as well as ample landscaping to further incorporate frontage area into the overall streetscape. We are proposing the fourth parking space have a surface that is permeable and looks consistent with the surrounding landscaping.

We understand this parking configuration is considered to be part of the driveway width and is not favored by the City of Capitola; However, we would like to utilize this plan to satisfy the parking requirement for the addition of the attached ADU.

The client is incorporating the attached ADU to provide additional housing options within the village community.

- From a design perspective, this layout creates a favorable layout for the frontage of the property by nesting one of the lesser utilized parking spots into the landscape and screening it from the street with a high landscaping berm (+30") and newly incorporated trees.
- Burlingame Avenue is a fairly narrow side street, as well as a highly trafficked thoroughfare; a parallel parking space will free up maneuverability and utilization of the driveway as a whole during busy traffic days, when backing out of the driveway is a challenge.
- Additionally, if we expand the frontage parking (covered/garage parking spots) the attached garage and available parking will constitute more than half of the overall frontage of the proposed building – per CMC 17.15.140(H) this is discouraged. *"...Attached garages which constitute less than fifty percent of the building frontage are encouraged, as are divided garage doors for double garages."* Further, this would not achieve the over look, feel or function that we are attempting to execute.

Overall, we request that this configuration be approved based on site design and landscaping considerations as stated in CMC 17.15.140 as this is the least impactful solution with the most foreseeable benefit for Parcel 'B' development.

Thank you very much for your time,

Sincerely,

Fuse Architecture / Courtney Christiansen

January 16, 2019

Attachment 'B'

(Letter from Carrie Howard, dated January 3, 2019)

Dear Members of the Capitola Planning Department,

Do you know what happens to children who have permanent disabilities once they grow up? Where do they live? Who do they live with? Who provides that support? I will tell you our story...

As one of the owners of the newly acquired property at 523 Burlingame Avenue in Capitola, I am writing to give you insight why we purchased and are developing the property in its current plan. Our 19 year old son, Andrew, is a young man with mild to moderate autism. Since his diagnosis at 3 years old, we have worked very hard to provide support for Andrew, so that he could live his life to his fullest potential. Once we began to realize that Andrew would basically need 24 hour/7 days a week supervision and learning that 80% of adults with autism live their parents, we decided we needed to find a property that would fit his needs as an adult while also encouraging as much independence as possible. He will not be able to drive a car, so being in such close proximity to a safe little village like Capitola, Andrew will be able to walk to his heart's content to access locations from coffee shops to doctor's offices to grocery stores all within an easy walking distance. At present, we must use a disabled placard in certain instances to keep him safe from cars in busy parking lots as he tends to dart into intersections despite years of training. This is our life. We have accepted it. We plan for such situations.

523 Burlingame came up for sale and we were blessed to have been able to purchase it. With the help of Dan Gomez and Courtney Christiansen at FUSE, these two stellar architects, were able to translate our vision for Andrew along with us as his primary caregivers to live together on this piece of property. While some of the design elements may seem "extraneous" or "unreasonable" or "unjustifiable", Dan and Courtney listened and heard what our son's needs are.

For example, the need for parking towards the front/Capitola Avenue of the apartment complex were put in these locations for several reasons:

- 1. Our goal is for Andrew to someday live in one of the apartments. It is essential for Andrew to NOT have to navigate through parking cars from the apartments to the backside of our home.*
- 2. Having the parking oriented towards the Capitola Avenue side of the building was designed to limit noise for Andrew's potential apartment. Andrew can become overstimulated easily from loud noises, thus Dan and Courtney designed the backside of the apartment to be free of parking and the noise that goes along with it. This is critical for Andrew.*
- 3. Privacy was also a priority for everyone's sake - Matt Howard's home, our home and the apartments. We designed the properties to limit exposure to times when Andrew exhibits maladaptive behaviors such as pacing, talking to himself, flicking his fingers, jerking movements and uses different spaces to "do his thing" including our backyard and hopefully in the backspace of the apartment complex when he is ready to move into one of*

Attachment 'B' – Continued:

the apartments. For all parties to live peacefully, Dan and Courtney put much thought into how these different projects could sync together and allow for Andrew's disability.

There are many other features to this house that were designed with a specific vision in mind for Andrew. This is not a vanity project. This is a project/property/home picked specifically for one person who cannot live independently. He is relying on the people in his life to make good decisions, so he can be the best Andrew that he can be.

We are always open for communication. We hope this provides some clarity on what we are doing with this property, what the goals are and how we arrived at some of them.

*Best,
Carrie Howard
458-1449 home
332-5942 cell*

Attachment 5

17.63.090 Considerations in review of applications.

The considerations of the architectural and site review committee, community development department, and/or planning commission shall include, but not be limited to, the following:

A. Considerations relating to traffic circulation, safety and congestion;

B. Considerations relating to outdoor advertising:

1. The number, location, color, size, height, lighting and landscaping of outdoor advertising signs and structures in relation to the creation of traffic hazards and the appearance and harmony with adjacent development;

C. Considerations relating to landscaping:

1. The location, height and materials of walls, fences, hedges, trees and screen plantings to insure harmony with adjacent development or to conceal storage areas, utility installations or other unsightly development,
2. The planting of groundcover or other landscape surfacing to prevent dust and erosion,
3. The prevention of unnecessary destruction of existing healthy trees,
4. Usable open space shall be reviewed both with respect to area and quality of landscape development;

D. Considerations relating to site layout:

1. The orientation and location of buildings, decks or balconies, and open spaces in relation to the physical characteristics of the site, the character of the neighborhood and the appearance and harmony of the buildings with adjacent development such that privacy of adjacent properties is maintained;

E. Considerations relating to drainage:

1. The effect of the site development plan on the adequacy of the storm and surface water drainage to both the site and adjacent property,
2. Connection to existing drainage systems,
3. Incorporation of permeable driveway materials and other means of retaining stormwater runoff on site and reducing non-point source pollution through use of grassy swales and other water quality enhancement measures;

F. Considerations relating to architectural character:

1. The suitability of the building for its purpose,
2. The appropriate use of materials to insure compatibility with the intent of the title;

G. Considerations relating to fire prevention:

1. Sufficient and suitable access to all areas for emergency vehicles,
2. Proper location and spacing of fire hydrants;

H. Considerations relating to excavation and grading;

I. Consideration relating to landscape maintenance:

1. The proper maintenance of landscape planting to encourage healthy growth and the replacement of dead plants until all plants are established,
2. The committee may require a one thousand dollar performance bond for a period of one year beginning from the date of final inspection;

J. Protection of historic features and vistas;

K. Considerations related to encouraging utilization and protection of solar energy, including:

1. The orientation of the lot,
2. Height of proposed building,
3. Distance between proposed building and south wall of adjacent structure(s),

4. Extent to which adjacent building(s) will have solar access to south roof and/or wall,
 5. Extent to which adjacent south facing wall(s), roof top(s), and solar collector(s) are shaded by the proposed structure(s);
- L. Consideration of design guidelines for special commercial or residential areas contained in the general plan, coastal plan, area plans or other approved design policies;
- M. Review of floodplain areas as designated on the flood boundary map in accord with the standards of Chapter 17.50 and with this title;
- N. The committee will require enclosed garbage areas of an adequate size to provide for garbage and recycling storage and collection for the project, unless an exception is made for individual containers in small residential projects. (Ord. 873 § 21 (part), 2004)

R-1 (Single Family Residential) Zoning District
525 Burlingame Avenue – House #1

Development Standards			
Building Height	R-1 Regulation		Proposed
N/A (Vacant Lot)	25 ft.		22 ft. 1 in.
Floor Area Ratio (FAR)			
Lot Size	5,000 sq. ft.		
Maximum Floor Area Ratio	60% (Max 3,000 sq. ft.) with Accessory Dwelling Unit		
First Story Floor Area	2,033 sq. ft.		
Second Story Floor Area	923 sq. ft.		
TOTAL FAR	59.8% (2,991 sq. ft.)		
Yards			
	R-1 Regulation		Proposed
Front Yard - 1st Story	15 ft.		15 ft.
Front Yard - 2nd Story & Garage	20 ft.		22 ft. 2 in. (Second Story) 20 ft. (Garage)
Side Yard 1st Story	10% lot width	Lot width 50 ft. 5 ft. min.	7 ft. 2 in. (South side) 5 ft. 10 in. (North side)
Side Yard 2nd Story	15% of width	Lot width 50 ft. 7 ft. 6 in. min	10 ft. 2 in. (South side) 13 ft. 10 in. (North side)
Rear Yard 1st Story	20% of lot depth	Lot depth 100 ft. 20 ft. min.	20 ft.
Rear Yard 2nd Story	20% of lot depth	Lot depth 100 ft. 20 ft. min	20 ft.
Encroachments (list all)			None
Parking			
	Required		Proposed
Residential (from <u>2,601</u> up to <u>4,000</u> sq. ft.)	4 spaces total 1 covered 3 uncovered		4 spaces total 1 covered 3 uncovered Nonconforming Parking Setup
Underground Utilities: required with 25% increase in area			Required

R-1 (Single Family Residential) Zoning District
523 Burlingame Avenue – House #2

Development Standards			
Building Height	R-1 Regulation		Proposed
N/A (Vacant Lot)	25 ft.		25 ft.
Floor Area Ratio (FAR)			
Lot Size	5,000 sq. ft.		
Maximum Floor Area Ratio	50% (Max 2,500 sq. ft.)		
First Story Floor Area	1,589 sq. ft.		
Second Story Floor Area	907 sq. ft.		
TOTAL FAR	49.8% (2,488 sq. ft.)		
Yards			
	R-1 Regulation		Proposed
Front Yard - 1st Story	15 ft.		17 ft. 6 in.
Front Yard - 2nd Story & Garage	20 ft.		25 ft. 7 in. Second-Story 20 ft. Garage
Side Yard 1st Story	10% lot width	Lot width 50 ft. 5 ft. min.	9 ft. 6 in. (South side) 5 ft. (North side)
Side Yard 2nd Story	15% of width	Lot width 50 ft. 7 ft. 6 in. min	23 ft. 5 in. (South side) 8 ft. (North side)
Rear Yard 1st Story	20% of lot depth	Lot depth 100 ft. 20 ft. min.	26 ft.
Rear Yard 2nd Story	20% of lot depth	Lot depth 100 ft. 20 ft. min	20 ft.
Encroachments (list all)			None
Parking			
	Required		Proposed
Residential (from <u>2,001</u> up to <u>2,600</u> sq. ft.)	3 spaces total 1 covered 2 uncovered		3 spaces total 1 covered 2 uncovered
Underground Utilities: required with 25% increase in area			Required

CN (Neighborhood Commercial) Zoning District
524 Capitola Avenue - Fourplex Apartments

Development Standards		Existing	Proposed
Use		Vacant	Multi-Family Dwelling
Is CUP required?		N/A	Yes
Height:	Maximum	Existing	Proposed
	27 ft.	N/A	25 ft. 4 in.
Lot Area: There are no specific minimum lot area required except that there shall be sufficient area to satisfy any off-street parking and loading area requirements.			8,000 sq. ft.
Lot Coverage: There shall be no specific maximum lot coverage, except as follows:			
A. Sufficient space shall be provided to satisfy off-street parking and loading area requirements, except that all parking may be provided within a structure.			
Parking			
	Required	Proposed	
Duplex, Triplex, or Fourplex	2 spaces per unit, one of which must be covered	2 spaces per unit, 1 or 2 covered spaces for each unit	
B. Front yard and open space requirements shall be satisfied.			
Front Yard - 1st Story	15 ft. landscape strip		15 ft. landscape strip
Side Yard 1st Story	10% lot width	Lot width 80 ft. 8 ft. min.	8 ft. 1 in. (South side) 8 ft. 1 in. (North side)
Side Yard 2nd Story	15% of width	Lot width 80 ft. 12 ft. min	12 ft. (South side) 12 ft. 1 in. (North side)
Rear Yard 1st Story	20% of lot depth	Lot depth 100 ft. 20 ft. min.	20 ft.
Rear Yard 2nd Story	20% of lot depth	Lot depth 100 ft. 20 ft. min	20 ft.
Landscaping. Five percent of the lot area shall be landscaped to ensure harmony with adjacent development in accordance with architectural and site approval standards			40% landscaped area
General Plan Maximum Floor Area Ratio (FAR) for Neighborhood Mixed-Use (MU-N) Zone	1.0 8,000 sq. ft.		0.67 5,340 sq. ft.
Unit Size			
Unit #	Floor Area (Living Area)		Floor Area (Deck/Patio)
Apartment 1 (1 st Floor center)	742 sq. ft.		146 sq. ft.
Apartment 2 (2 nd Floor north)	633 sq. ft.		77 sq. ft.
Apartment 3 (2 nd Floor center)	728 sq. ft.		159 sq. ft.
Apartment 4 (2 nd Floor south)	633 sq. ft.		77 sq. ft.
Accessory Building			No
Underground Utilities – required with 25% increase area			Yes

Conditions of Approval, Findings, & Coastal Findings
523 Burlingame Avenue

CONDITIONS OF APPROVAL

1. The project approval consists of a tentative parcel map to divide one parcel into three parcels, a conditional use permit for a four-unit apartment building on Parcel A (524 Capitola Avenue), construction of a 5,340 square-foot four-unit apartment building on Parcel A (524 Capitola Avenue), construction of a 2,991 square-foot single-family residence on Parcel B (525 Burlingame Avenue) with a driveway width exception, and construction of a 2,488 square-foot single-family residence on Parcel C (523 Burlingame Avenue). The tentative parcel map complies with the lot design standards in Capitola Municipal Code Chapter 16.24. The maximum Floor Area Ratio for Parcel A (524 Capitola Avenue), at 8,000 square feet, is 1.0 (8,000 square feet), and the total FAR of the four-unit apartment building is 0.67 with a total of 5,340 square feet, compliant with the maximum FAR within the zone. The maximum Floor Area Ratio for Parcel B (525 Burlingame Avenue), at 5,000 square feet with an accessory dwelling unit, is 60% (3,000 square feet), and the total FAR of the building is 59.8% with a total of 2,991 square feet, compliant with the maximum FAR within the zone. The maximum Floor Area Ratio for Parcel C (523 Burlingame Avenue), at 5,000 square feet, is 50% (2,500 square feet), and the total FAR of the building is 49.8% with a total of 2,488 square feet, compliant with the maximum FAR within the zone. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on May 2, 2019, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans
3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
4. At time of submittal for building permit review, Public Works Standard Detail SMP STRM shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.
5. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
6. Prior to issuance of building permit, all Planning fees associated with permit #18-0508 shall be paid in full.
7. Prior to issuance of building permit, Affordable housing in-lieu fees shall be paid as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance.

8. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Creek Water District, and Central Fire Protection District.
9. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
10. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
11. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
12. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
13. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
14. Prior to a project final, all cracked or broken driveway approaches, curb, gutter, or sidewalk shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.
15. Prior to issuance of a Certificate of Occupancy, the applicant shall demonstrate that 15% tree canopy coverage is provided on each parcel. Required replacement trees shall be of the same size, species, and planted on the site as shown on the approved landscape plans.
16. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
17. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.

18. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
19. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
20. Prior to issuance of building permits, the building plans must show that the existing overhead utility lines will be underground to the nearest utility pole.
21. The floor area for secondary dwelling unit at 525 Burlingame Avenue shall not exceed 292 square feet as approved by the Planning Commission.
22. At time of submittal for building permit review, a water will-serve letter for the second dwelling unit at 525 Burlingame Avenue must be submitted to the City.
23. Before obtaining a building permit for a secondary dwelling unit at 525 Burlingame Avenue, the property owner shall file with the county recorder a declaration of restrictions containing a reference to the deed under which the property was acquired by the present owner and stating that:
 - a. The secondary dwelling unit shall not be sold separately;
 - b. The unit is restricted to the approved size;
 - c. The administrative review or the design permit, whichever applies, for the secondary dwelling unit shall be in effect only so long as the owner of record occupies either the main residence or the secondary dwelling unit;
 - d. The above declarations are binding upon any successor in ownership of the property. Lack of compliance shall be cause for code enforcement and/or revoking the administrative review or the architecture and site review permit, whichever applies;
 - e. The deed restrictions shall lapse upon removal of the secondary dwelling unit.

FINDINGS

- A. **The project, subject to the conditions imposed, secures the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The proposed four-unit apartment building on Parcel A (524 Capitola Avenue) complies with the development standards of the CN (Neighborhood Commercial) District, the proposed single-family residence on Parcel C (523 Burlingame Avenue) complies with the development standards of the R-1 (Single-Family Residential) District, and with a driveway width exception, the proposed single-family residence on Parcel B (525 Burlingame Avenue) complies with the development standards of the R-1 (Single-Family Residential) District. Specifically, all of the requirements of Capitola Municipal Code §17.99.050 have been met. The project secures the purpose of the Zoning Ordinance, General Plan, and Local Coastal Plan.
- B. **The project will maintain the character and integrity of the neighborhood.**
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the application for the four-unit apartment building

and two single-family homes. The design of the apartment building and single-family homes, which include contemporary design features and organic accents, will allow the new development to be incorporated into the existing neighborhood. The project will maintain the character and integrity of the neighborhood.

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

Section 15332 of the CEQA Guidelines exempts projects characterized as in-fill development when: the project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; the project site has no value as habitat for endangered, rare, or threatened species; the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services. This project involves the construction of a four-unit apartment building and two single-family homes on the site of a former convalescent hospital within the CN (Neighborhood Commercial) and R-1 (Single-Family Residential) zoning districts. No adverse environmental impacts were discovered during review of the proposed project.

COASTAL FINDINGS

D. Findings Required.

1. **A coastal permit shall be granted only upon adoption of specific written factual findings supporting the conclusion that the proposed development conforms to the certified Local Coastal Program, including, but not limited to:**
 - a. A statement of the individual and cumulative burdens imposed on public access and recreation opportunities based on applicable factors identified pursuant to subsection (D)(2) of this section. The type of affected public access and recreation opportunities shall be clearly described;
 - b. An analysis based on applicable factors identified in subsection (D)(2) of this section of the necessity for requiring public access conditions to find the project consistent with the public access provisions of the Coastal Act;
 - c. A description of the legitimate governmental interest furthered by any access conditioned required;
 - d. An explanation of how imposition of an access dedication requirement alleviates the access burdens identified.
 - The proposed development conforms to the City's certified Local Coastal Plan (LCP). The specific, factual findings, as per CMC Section 17.46.090(D) are as follows:
2. **Require Project-Specific Findings. In determining any requirement for public access, including the type of access and character of use, the city shall evaluate and document in written findings the factors identified in subsections (D)(2)(a) through (e), to the extent applicable. The findings shall explain the basis for the conclusions and decisions of the city and shall be supported by substantial evidence in the record. If an access dedication is required as a condition of approval, the findings shall explain how the adverse effects which have been**

identified will be alleviated or mitigated by the dedication. As used in this section, “cumulative effect” means the effect of the individual project in combination with the effects of past projects, other current projects, and probable future projects, including development allowed under applicable planning and zoning.

- a. **Project Effects on Demand for Access and Recreation.** Identification of existing and open public access and coastal recreation areas and facilities in the regional and local vicinity of the development. Analysis of the project’s effects upon existing public access and recreation opportunities. Analysis of the project’s cumulative effects upon the use and capacity of the identified access and recreation opportunities, including public tidelands and beach resources, and upon the capacity of major coastal roads from subdivision, intensification or cumulative buildout. Projection for the anticipated demand and need for increased coastal access and recreation opportunities for the public. Analysis of the contribution of the project’s cumulative effects to any such projected increase. Description of the physical characteristics of the site and its proximity to the sea, tideland viewing points, upland recreation areas, and trail linkages to tidelands or recreation areas. Analysis of the importance and potential of the site, because of its location or other characteristics, for creating, preserving or enhancing public access to tidelands or public recreation opportunities;
 - The proposed project is located at 523 Burlingame Avenue. The four-unit apartment building and two single-family homes are not located in an area with coastal access. The project will not have an effect on public trails or beach access.

- b. **Shoreline Processes.** Description of the existing shoreline conditions, including beach profile, accessibility and usability of the beach, history of erosion or accretion, character and sources of sand, wave and sand movement, presence of shoreline protective structures, location of the line of mean high tide during the season when the beach is at its narrowest (generally during the late winter) and the proximity of that line to existing structures, and any other factors which substantially characterize or affect the shoreline processes at the site. Identification of anticipated changes to shoreline processes at the site. Identification of anticipated changes to shoreline processes and beach profile unrelated to the proposed development. Description and analysis of any reasonably likely changes, attributable to the primary and cumulative effects of the project, to: wave and sand movement affecting beaches in the vicinity of the project; the profile of the beach; the character, extent, accessibility and usability of the beach; and any other factors which characterize or affect beaches in the vicinity. Analysis of the effect of any identified changes of the project, alone or in combination with other anticipated changes, will have upon the ability of the public to use public tidelands and shoreline recreation areas;
 - The proposed project is located along Burlingame Avenue. No portion of the project is located along the shoreline or beach.

- c. **Historic Public Use.** Evidence of use of the site by members of the general public for a continuous five-year period (such use may be seasonal). Evidence of the type and character of use made by the public (vertical, lateral, blufftop, etc., and for passive and/or active recreational use, etc.). Identification of any agency (or person) who has maintained and/or improved the area subject to historic public use and the nature of the maintenance performed and improvements made. Identification of the record owner of the area historically used by the public and any attempts by the owner to

- prohibit public use of the area, including the success or failure of those attempts. Description of the potential for adverse impact on public use of the area from the proposed development (including but not limited to, creation of physical or psychological impediments to public use);
- There is not a history of public use on the subject lot.
- d. Physical Obstructions. Description of any physical aspects of the development which block or impede the ability of the public to get to or along the tidelands, public recreation areas, or other public coastal resources or to see the shoreline;
- The proposed project is located on private property on Burlingame Avenue. The project will not block or impede the ability of the public to get to or along the tidelands, public recreation areas, or views to the shoreline.
- e. Other Adverse Impacts on Access and Recreation. Description of the development's physical proximity and relationship to the shoreline and any public recreation area. Analysis of the extent of which buildings, walls, signs, streets or other aspects of the development, individually or cumulatively, are likely to diminish the public's use of tidelands or lands committed to public recreation. Description of any alteration of the aesthetic, visual or recreational value of public use areas, and of any diminution of the quality or amount of recreational use of public lands which may be attributable to the individual or cumulative effects of the development.
- The proposed project is located on private property that will not impact access and recreation. The project does not diminish the public's use of tidelands or lands committed to public recreation nor alter the aesthetic, visual, or recreational value of public use areas.
- 3. Required Findings for Public Access Exceptions. Any determination that one of the exceptions of subsection (F)(2) applies to a development shall be supported by written findings of fact, analysis and conclusions which address all of the following:**
- a. The type of access potentially applicable to the site involved (vertical, lateral, bluff top, etc.) and its location in relation to the fragile coastal resource to be protected, the agricultural use, the public safety concern, or the military facility which is the basis for the exception, as applicable;
 - b. Unavailability of any mitigating measures to manage the type, character, intensity, hours, season or location of such use so that agricultural resources, fragile coastal resources, public safety, or military security, as applicable, are protected;
 - c. Ability of the public, through another reasonable means, to reach the same area of public tidelands as would be made accessible by an accessway on the subject land.
- The project is not requesting a Public Access Exception, therefore these findings do not apply.
- 4. Findings for Management Plan Conditions. Written findings in support of a condition requiring a management plan for regulating the time and manner or character of public access use must address the following factors, as applicable:**

- a. Identification and protection of specific habitat values including the reasons supporting the conclusions that such values must be protected by limiting the hours, seasons, or character of public use;
 - The project is located in a residential area without sensitive habitat areas.
 - b. Topographic constraints of the development site;
 - The project is located on a flat lot.
 - c. Recreational needs of the public;
 - The project does not impact the recreational needs of the public.
 - d. Rights of privacy of the landowner which could not be mitigated by setting the project back from the access way or otherwise conditioning the development;
 - e. The requirements of the possible accepting agency, if an offer of dedication is the mechanism for securing public access;
 - f. Feasibility of adequate setbacks, fencing, landscaping, and other methods as part of a management plan to regulate public use.
5. **Project complies with public access requirements, including submittal of appropriate legal documents to ensure the right of public access whenever, and as, required by the certified land use plan and Section 17.46.010 (coastal access requirements);**
- No legal documents to ensure public access rights are required for the proposed project.
6. **Project complies with visitor-serving and recreational use policies;**

SEC. 30222

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

- The project involves a four-unit apartment building and two single-family homes on residential lots of record.

SEC. 30223

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

- The project involves a four-unit apartment building and two single-family homes on residential lots of record.

c) Visitor-serving facilities that cannot be feasibly located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

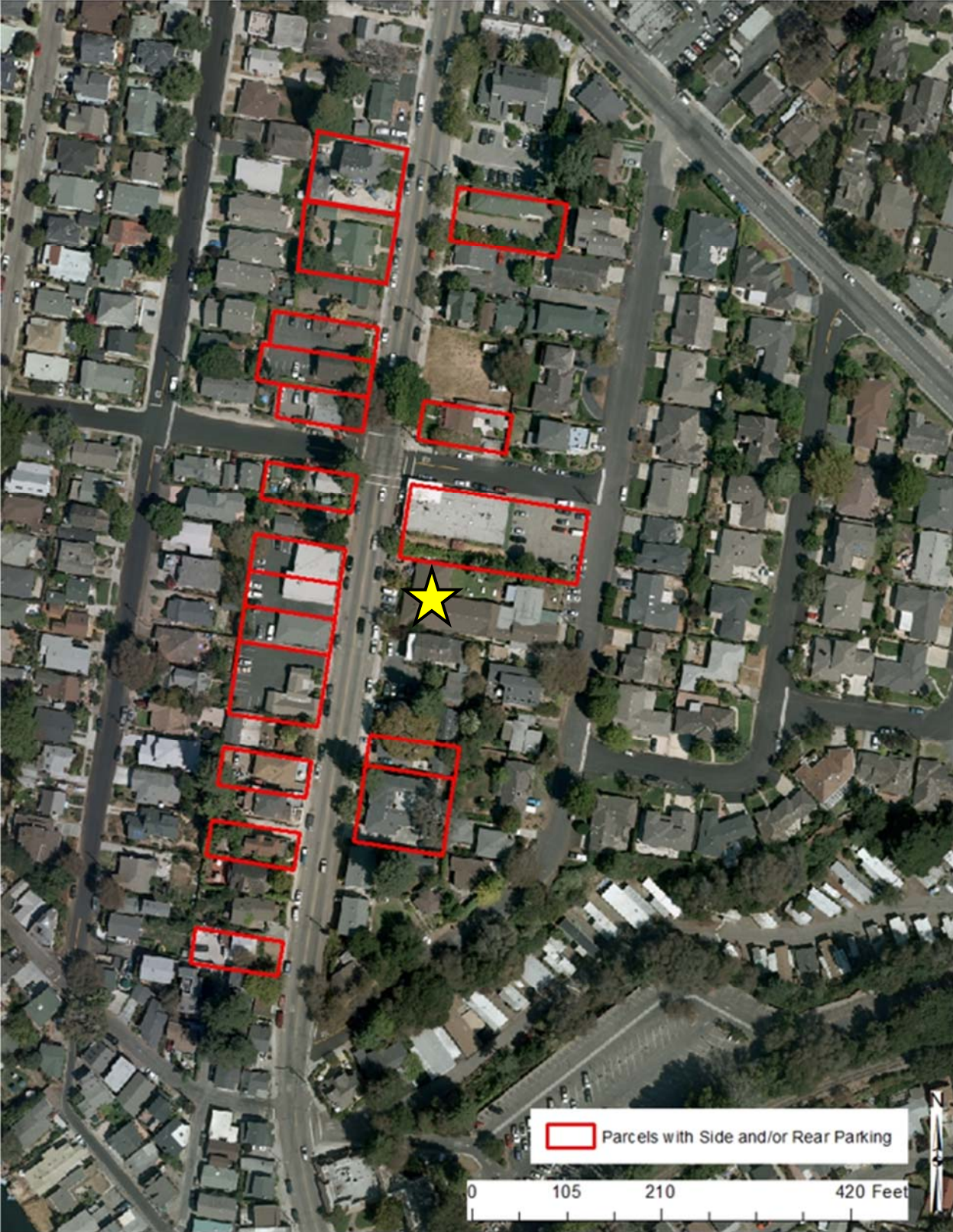
- The project involves a four-unit apartment building and two single-family homes on residential lots of record.
- 7. Project complies with applicable standards and requirements for provision of public and private parking, pedestrian access, alternate means of transportation and/or traffic improvements;**
- The project involves the construction of a four-unit apartment building and two single-family homes. The project complies with applicable standards and requirements for provision for parking, pedestrian access, alternate means of transportation, and/or traffic improvements.
- 8. Review of project design, site plan, signing, lighting, landscaping, etc., by the city's architectural and site review committee, and compliance with adopted design guidelines and standards, and review committee recommendations;**
- The project complies with the design guidelines and standards established by the Municipal Code.
- 9. Project complies with LCP policies regarding protection of public landmarks, protection or provision of public views; and shall not block or detract from public views to and along Capitola's shoreline;**
- The project will not negatively impact public landmarks and/or public views. The project will not block or detract from public views to and along Capitola's shoreline.
- 10. Demonstrated availability and adequacy of water and sewer services;**
- The project is located on a legal lot of record with available water and sewer services.
- 11. Provisions of minimum water flow rates and fire response times;**
- The project is located 0.2 miles from the Central Fire Protection District Capitola Station. Water is available at the location.
- 12. Project complies with water and energy conservation standards;**
- The project is for a four-unit apartment building and two single-family homes. The GHG emissions for the project are projected at less than significant impact. All water fixtures must comply with the low-flow standards of the Soquel Creek Water District.
- 13. Provision of park dedication, school impact, and other fees as may be required;**
- The project will be required to pay appropriate fees prior to building permit issuance.
- 14. Project complies with coastal housing policies, and applicable ordinances including condominium conversion and mobile home ordinances;**

- The project does not involve a condo conversion or mobile homes.
- 15. Project complies with natural resource, habitat, and archaeological protection policies;**
- Conditions of approval have been included to ensure compliance with established policies.
- 16. Project complies with Monarch butterfly habitat protection policies;**
- The project is outside of any identified sensitive habitats, specifically areas where Monarch Butterflies have been encountered, identified and documented.
- 17. Project provides drainage and erosion and control measures to protect marine, stream, and wetland water quality from urban runoff and erosion;**
- Conditions of approval have been included to ensure compliance with applicable erosion control measures.
- 18. Geologic/engineering reports have been prepared by qualified professional for projects in seismic areas, geologically unstable areas, or coastal bluffs, and project complies with hazard protection policies including provision of appropriate setbacks and mitigation measures;**
- Geologic/engineering reports have been prepared by qualified professionals for this project. Conditions of approval have been included to ensure the project applicant shall comply with all applicable requirements of the most recent version of the California Building Standards Code.
- 19. All other geological, flood and fire hazards are accounted for and mitigated in the project design;**
- Conditions of approval have been included to ensure the project complies with geological, flood, and fire hazards and are accounted for and will be mitigated in the project design.
- 20. Project complies with shoreline structure policies;**
- The proposed project is not located along a shoreline.
- 21. The uses proposed are consistent with the permitted or conditional uses of the zoning district in which the project is located;**
- The proposed multifamily and single-family uses are allowed uses consistent with the CN (Neighborhood Commercial) and R-1 (Single-Family Residential) zoning districts.
- 22. Conformance to requirements of all other city ordinances, zoning requirements, and project review procedures; and**

- The project conforms to the requirements of all city ordinances, zoning requirements, and project development review and development procedures.

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

- The village area preferential parking program areas and conditions as established in Resolution No. 2596 and no permit parking of any kind shall be allowed on Capitola Avenue.
 - The neighborhood preferential parking program areas are as established in Resolution Numbers 2433 and 2510.
 - The village area preferential parking program shall be limited to three hundred fifty permits.
 - Neighborhood permit areas are only in force when the shuttle bus is operating except that:
 - The Fanmar area (Resolution No. 2436) program may operate year-round, twenty-four hours a day on weekends,
 - The Burlingame, Cliff Avenue/Grand Avenue area (Resolution No. 2435) have year-round, twenty-four hour per day “no public parking.”
 - Except as specifically allowed under the village parking program, no preferential residential parking may be allowed in the Cliff Drive parking areas.
 - Six Depot Hill twenty-four minute “Vista” parking spaces (Resolution No. 2510) shall be provided as corrected in Exhibit A attached to the ordinance codified in this section and found on file in the office of the city clerk.
 - A limit of fifty permits for the Pacific Cove parking lot may be issued to village permit holders and transient occupancy permit holders.
 - No additional development in the village that intensifies use and requires additional parking shall be permitted. Changes in use that do not result in additional parking demand can be allowed and exceptions for onsite parking as allowed in the land use plan can be made.
- The project site is not located within the area of the Capitola parking permit program.



Attachment: Capitola Avenue - Parcels with Side - Rear Parking (523 Burlingame Avenue)

 - PROJECT PARCEL