



AGENDA

CAPITOLA PLANNING COMMISSION

Thursday, May 4, 2017 – 7:00 PM

Chairperson Ed Newman
Commissioners Sam Storey
Linda Smith
TJ Welch
Susan Westman

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

B. Public Comments

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

C. Commission Comments

D. Staff Comments

3. APPROVAL OF MINUTES

A. Planning Commission - Special Meeting - Feb 16, 2017 6:00 PM

B. Planning Commission - Regular Meeting - Mar 2, 2017 7:00 PM

4. CONSENT CALENDAR

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

A. Revised Environmentally Sensitive Habitat Area Map

Revised Environmentally Sensitive Habitat Area Map for the Comprehensive Zoning Code update (Municipal Code Chapter 17).

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 Cattan, Senior Planner, City of Capitola

B. 2205 Wharf Road #16-041 APN: 034-141-34

Minor land division to create two lots of record and a design permit for a new Single-Family Residence for a property located in the RM-LM (Residential Multi-Family – Low-Medium Density) Zoning District.

This project is not in the Coastal Zone and does not require a Coastal Development Permit.
Environmental Determination: Categorical Exemption

Property Owner: Christopher Wright

Representative: Dennis Norton, filed: 3/14/16

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. 1649 41st Avenue 16-224 034-151-09

Design Permit to replace the existing convenient store with a new 2,573 sf convenient store and sign permit with variance for two new wall signs at the Shell gas station, located in the CC (Community Commercial) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: Peninsula Petroleum, LLC

Representative: M. J. Castelo, filed: 12/19/16

B. 212 Monterey Avenue #16-111 035-261-11

Design Permit application for an exterior remodel and addition of 304 square feet to an existing two-story multi-family residential building, with a variance request to height, located in the CV (Central Village) 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: Joe Mingione

Representative: Derek Van Alstine, filed: 5/31/16

C. 4530 Garnet Street #16-157 034-034-02

Design Permit application for a remodel and 497 square foot addition to an existing single-family residence located in the R-1 (Single-Family Residential) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: Clark Cochran

Representative: Dennis Norton, filed: 8/15/16

D. Capitola Mall Redevelopment - Request to Continue to June 1, 2017**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. Agendas are also available at the Capitola Branch Library, 2005 Wharf Road, Capitola, on the Monday prior to the Thursday meeting. Need more information? Contact the Community Development Department at (831) 475-7300.

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

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

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



**DRAFT FINAL MINUTES
CAPITOLA PLANNING COMMISSION MEETING
THURSDAY, FEBRUARY 16, 2017
SPECIAL MEETING
6 P.M. – CAPITOLA CITY COUNCIL CHAMBERS**

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Commissioner TJ Welch: Present, Commissioner Linda Smith: Present, Chairperson Edward Newman: Present, Commissioner Susan Westman: Present, Commissioner Sam Storey: Present

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

Item 3.B was heard first under public hearings.

B. Public Comments

None

C. Commission Comments

None

D. Staff Comments

None

3. PUBLIC HEARINGS

B. 231 Esplanade #17-002 035-211-01

Sidewalk Sign Permit for Margaritaville Restaurant located at 231 Esplanade in the CV (Central Village) Zoning District.

This project is in the Coastal Zone but is exempt from a Coastal Development Permit.

Environmental Determination: Categorical Exemption

Property Owner: Steve Yates

Representative: Sarah Orr, filed: 1/26/15

Commissioner Newman recused himself due to owning property within 500 feet of project. Senior Planner Katie Herlihy presented the application to the Planning Commission explaining the request from the applicant to deviate from the BIA approved shape for a sidewalk sign in the village. The applicant, Mary Ann Orr, explained the need for a rectangular sign. The Planning Commission discussed the application and requested that staff reach out to the BIA for input on the application. Commissioner Westman also requested that staff discuss with the City Attorney whether the City Council could hear the application.

Minutes Acceptance: Minutes of Feb 16, 2017 6:00 PM (Approval of Minutes)

Commissioner Westman made a motion to continue the application to the March 2, 2017, Planning Commission meeting. Commission Welch seconded the motion with unanimous support.

RESULT:	CONTINUED [4 TO 0]	Next: 3/2/2017 7:00 PM
MOVER:	Susan Westman, Commissioner	
SECONDER:	TJ Welch, Chairperson	
AYES:	Smith, Welch, Westman, Storey	
RECUSED:	Newman	

A. Zoning Code Update All Properties within Capitola

Continuation of Comprehensive Update to the City of Capitola Zoning Code (Municipal Code Chapter 17).

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 Cattan, Senior Planner, City of Capitola

Senior Planner Herlihy introduced the remaining zoning code issues paper and provided a presentation on each item. The Planning Commission directed staff to make the following changes to the draft code:

Code Section	Page	Planning Commission Direction
17.20.030 Mixed Use Village Height Exception	Page 20-5	Replace with: 1. Up to 33 feet for a gabled or hipped roof with a minimum 5:12 roof pitch and a maximum plate height of 26 feet. There shall be no breaks in the roof slope for doors and decks. 2. Up to 33 feet for projections for non-habitable decorative features and structures as allowed by Section 17.48.020.C. Include image of allowable pitched roof designs.
17.48.020.B Height Exceptions	Page 48-2	Reword: “B. Height Exceptions. Buildings may exceed the maximum permitted height in the applicable zoning district as shown in Table 17.48-1. These exceptions may not be combined with other height exceptions, including but not limited to, allowances for additional height in the MU-V zone or for historic structures.”
17.24.020 Table 17.24-1 Land Use Table	Page 24-2	PC directed staff to require a Conditional Use Permit for Multi-Family Dwellings in the C-R. Also, within the C-R Residential Mixed Use has a footnote [7] which states “Residential uses are prohibited on the first story.” Planning Commission directed staff to remove the footnote.
Table 17.24-2 Permitted Office Uses in the C-C and C-R Zoning Districts	Page 24-4	Revise: Require Conditional Use Permit in C-R for Ground floor, less than 5,000 square feet Require Conditional Use Permit in C-R for Ground floor, 5,000 square feet or more.

Minutes Acceptance: Minutes of Feb 16, 2017 6:00 PM (Approval of Minutes)

		Permit in C-R located within a multi-tenant site in which the office space is not located within a storefront and is setback from the front façade.
Coastal Commission Edits	Throughout Code	Change references of Local Coastal Act to Local Coastal Plan
17.48.030 D and E Projections into Required Setbacks. Allowed encroachments	Page 17.48.030 C and D	Incorporate staff suggestions on modifications to setbacks presented to PC, except: <ul style="list-style-type: none"> • Landscape features – 17.48.030.E.10 – change to “Decorative ornamental features up to a maximum height of 6 feet which does not enclose the perimeter of the property” and change minimum distance from Property line to “No Minimum” • Hot Tubs – Min distance from property line – Change Rear to 2 feet. • Under other structures and equipment, remove trash enclosure from moveable objects list
Chapter 17.74 Accessory Dwelling Units	Item to Add	Accessory Dwelling Units that utilize the decreased setbacks and increased FAR should not remove the ADU and enjoy the benefits of creating a non-conformity of oversized FAR. Add requirement that properties that utilize increased FAR and decreased setbacks shall keep the ADU.
Table 17.92-1	Page 92-6	<ul style="list-style-type: none"> • Reword “repair” in third category “exterior repairs reconstruction (demolish and rebuilt) and modifications that alter or affect the nonconforming aspect of the structure”. Update example to demolish and rebuild. • Last category “recreation of an involuntarily damaged or destroyed structure” add a reference to 19.92.080.D
17.36.080.H.7 Planned Dev. Substantial Public Benefit Defined	Page 36-6	Correct typo - jobs “in” industries Add “supply and” as follows: “7. New or enlarged business that increase the <u>supply and/or</u> diversity of jobs available to Capitola residents. Types of jobs may include jobs that improve environmental quality or reduce energy consumption (‘green jobs’), high-tech sector jobs, and jobs <u>in</u> industries focusing on the generation and utilization of intellectual property (‘creative jobs’).”
17.40.020.J Affordable Housing Overlay – Assurance of Affordability	Page 40-6	Change to “for 55 years or the natural life of the unit whichever is greater”
17.76.070.D.2 Parking and Loading	Page 76-19	Shade trees. Require that shade trees be a minimum of <u>24-inch</u> box tree for tree health rather than 36-inch.
17.80.090.A.6 Signs	Page 80-17	Prohibit Internally illuminated signs in the mixed-use neighborhood.
17.80.100.A. 1-8 Signs	Page 80-17	Remove Residential Signs – A. 1-8. General Standards. Keep section B for multi-unit properties.

17.80.080.A.1.d Auto Dealership Signs	Page 80-9	Remove Maximum Area of Auto Dealership sign – Replace with requirement that Planning Commission review sign applications if combined sign area exceeds 100 square feet.
17.80.110 Table 17.80-10 Temporary Sign Standards	Page 80-19	Temporary Sign Standards: Auto Dealership Signs. Change Maximum Duration to year-round. Add requirement that they must be maintained in good condition.
17.92.070.B.2.d Non-conforming multi-family uses in R-1 Zoning District	Page 92-3	Remove “B.2.d The extension will not impair coastal resources”
5000 sf auto space		Staff to check with TESLA that 5,000 sf would support auto showroom.

MOTION: Continue the item to the next regular meeting.

RESULT:	CONTINUED [UNANIMOUS]	Next: 3/2/2017 7:00 PM
MOVER:	Sam Storey, Commissioner	
SECONDER:	Linda Smith, Commissioner	
AYES:	Smith, Newman, Welch, Westman, Storey	

4. DIRECTOR'S REPORT

None

5. COMMISSION COMMUNICATIONS

None

6. ADJOURNMENT

Approved by the Planning Commission

Minutes Clerk

Minutes Acceptance: Minutes of Feb 16, 2017 6:00 PM (Approval of Minutes)



**DRAFT FINAL MINUTES
CAPITOLA PLANNING COMMISSION MEETING
THURSDAY, MARCH 2, 2017
7 P.M. – CAPITOLA CITY COUNCIL CHAMBERS**

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Commissioner TJ Welch: Present, Commissioner Linda Smith: Present, Chairperson Edward Newman: Present, Commissioner Susan Westman: Present, Commissioner Sam Storey: Present

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

Item 5.A. was withdrawn by the applicant.

B. Public Comments - None

C. Commission Comments - None

D. Staff Comments - None

3. APPROVAL OF MINUTES

A. Planning Commission - Regular Meeting – January 19, 2017

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Sam Storey, Commissioner
SECONDER:	T.J. Welch, Commissioner
AYES:	Smith, Newman, Welch, Westman, Storey

4. CONSENT CALENDAR

A. 708 Capitola Road #17-011 APN: 036-062-15

Conditional Use Permit for a yoga studio 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: Gotti Properties, LLC

Representative: Carrie Burr (filed 01/31/2017)

This item was pulled from the Consent Agenda by Commissioner Westman due to parking concerns and was heard before Item 5A under Public Hearings. Senior Planner Katie Herlihy presented the staff report.

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

CONDITIONS

1. The project approval consists of a Conditional Use Permit to operate a yoga studio within an existing commercial space located at 708 Capitola Avenue. The space includes a yoga studio (1,140 square feet), reception area and bathroom (560 square feet), and an office (320 square feet).
2. There are 52 non-exclusive onsite parking spaces. The yoga studio parking requirement is 1 space per 120 square feet and met with 18 onsite parking spaces.
3. Prior to installation of a sign, the applicant shall obtain approval for a Sign Permit through the Community Development Department.
4. The applicant shall obtain a business license from the City of Capitola prior to operating the business.
5. Prior to granting of final occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director.
6. The application shall be reviewed by the Planning Commission upon evidence of non-compliance with conditions of approval or applicable municipal code provisions.
7. 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.

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 business may be granted a conditional use permit within the CN Zoning District. The use meets the intent and purpose of the CN 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 will maintain the character and integrity of the neighborhood. 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 yoga studio occupying a previous liquor store. No adverse environmental impacts were discovered during project review by staff or Planning Commission.

RESULT:	APPROVED [4-1]
MOVER:	Linda Smith, Commissioner
SECONDER:	TJ Welch, Commissioner
AYES:	Welch, Smith, Newman, Westman
NAYS:	Storey

B. 332 Riverview Avenue #16-226 APN: 035-172-33

Design Permit for a 33 square-foot addition to build an interior staircase to access an existing improved third-story roof deck, located in the CV (Central Village) 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: Robert Mendez

Representative: Dennis Norton, filed: 12/20/16

Commissioners Smith and Newman recused themselves because they own property in the vicinity of the project.

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

CONDITIONS OF APPROVAL

1. The project approval consists of construction of a 33 square-foot addition to a single family home. The addition will provide internal staircase access to the existing roof deck. The total FAR of the project is 2,104 square feet. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on March 2, 2017, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans
3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
4. At 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 #16-226 shall be paid in full.
7. 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.

8. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
9. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
10. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
11. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
12. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
13. Prior to a project final, all cracked or broken driveway approaches, curb, gutter, or sidewalk shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.
14. 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.
17. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.

FINDINGS

- A. **The application, subject to the conditions imposed, secures the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The proposed enclosed staircase, with the conditions imposed, secures the purpose of the Zoning Ordinance, General Plan, and Local Coastal Plan. The addition would comply with all development standards of the Central Village Zoning District.
- B. **The application will maintain the character and integrity of the neighborhood.**
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the application for the 33 square foot addition for an enclosed staircase leading to the existing rooftop deck. The new addition will blend in seamlessly with the existing structure while maintaining the character and integrity of the Riverview Avenue neighborhood.
- C. **This project is categorically exempt under Section 15301(b) of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.**
Section 15301(e) of the CEQA Guidelines exempts small additions to existing structures. The project involves a 33 square foot addition to an existing single family residence. Staff has not identified any possible environmental impacts associated with the project.

COASTAL FINDINGS

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

- 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 332 Riverview Avenue. The home is not located in an area with coastal access. The home will not have an effect on public trails or beach access.

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

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

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

- The proposed project is located on private property that will not impact access and recreation. 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 in a residential lot.

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 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 a minor addition to 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 a minor addition to 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;

- 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 consistent with the Central Village 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.

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

- The project site is located within the area of the Capitola parking permit program and has no impact on the parking permit program.

RESULT:	APPROVED [3 TO 0]
MOVER:	Sam Storey, Commissioner
SECONDER:	T.J. Welch, Commissioner
AYES:	Storey, Welch, Westman
RECUSED:	Newman, Smith

C. 300 Plum St #16-45 APN:036-352-71.036-352-57, and 036-352-58

Coastal Development Permit for the removal of seven trees located at 300 Plum Street MHE (Mobile Home Exclusive) 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 Owners: Brookvale Terrace Property Owners Association, Emily & Bruce Clark, Robert & Mary Montonye

Representative: PG&E, filed 1/3/17

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

CONDITIONS OF APPROVAL

1. The project approval consists of a Coastal Development Permit for the removal of seven trees at 300 Plum Street in the Environmentally Sensitive Habitat Zone and MHE (Mobile Home Exclusive) Zoning District. The approval requires replanting 13 replacement trees on site.
2. All tree removal/modification work within environmentally sensitive areas shall be performed with hand tools (e.g., chainsaws, loppers, etc.). No heavy equipment shall be allowed to operate within environmentally sensitive areas.
3. No work shall occur within wetlands or waterways.
4. No use of herbicides shall be allowed within environmentally sensitive areas.

5. All work within the environmentally sensitive area shall be monitored by a ISA certified arborist and a qualified biologist. The arborist and biologist shall have authority to stop work if activities impact sensitive vegetation, wetlands, or other mature trees which have not been permitted to be removed or modified. In the event of such work stoppage, the applicant or their representatives shall immediately contact the Community Development Department and shall not resume work until authorized.
6. 10 five-gallon Willow trees and three 15-gallon Birch trees are required to be planted on site in order to replace the seven tree removals. The location of the replacement trees is to match the Riparian Corridor Restoration Plan submitted by the applicant. Prior to making any changes to the approved restoration plan, modifications must be specifically requested and submitted in writing to the Community Development Department.
7. Prior to removal of the trees, all Planning fees associated with permit #16-045 shall be paid in full.
8. 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.
9. 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
10. This permit shall expire 24 months from the date of issuance. The applicant shall remove the trees 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.
11. In any case where the conditions to the granting of a permit have not been or are not complied with, the Community Development Director shall give notice thereof to the permittee, which notice shall specify a reasonable period of time within which to perform said conditions and correct said violation. If the permittee fails to comply with said conditions, or to correct said violation, within the time allowed, notice shall be given to the permittee of intention to revoke such permit at a hearing to be held not less than thirty calendar days after the date of such notice. Following such hearing and, if good cause exists therefor, the Planning Commission may revoke the permit.

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 in Brookvale Terrace Mobile Home Park at 300 Plum Street. The park is not located in an area with coastal access. The tree removals 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 in the central portion of the mobile home park at 300 Plum Street. 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 at 300 Plum Street. The project will not block or impede the ability of the public to get to or along the tidelands, public recreation areas, or views to the shoreline.

(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 in the Environmentally Sensitive Habitat Zone.

b. Topographic constraints of the development site;

- The project is located in a gulch.

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 seven tree removals located in a mobile home park 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 seven tree removals located in a mobile home park 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 seven tree removals located in a mobile home park on residential lots 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 tree removals located in a mobile home park. 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 involves tree removals located in a mobile home park. The GHG emissions for the project are projected at less than significant impact. There will be

no impact on water.

(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 the tree removals.

(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 are not required for this application.

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

- No impacts to geological, flood, or fire hazards are anticipated with the removal of the trees.

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

- The proposed project is not located along a shoreline.

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

- The tree removals are consistent with the Mobile Home Exclusive 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.

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

- The project does not involve onsite parking.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Sam Storey, Commissioner
SECONDER:	Linda Smith, Commissioner
AYES:	Welch, Smith, Newman, Westman, Storey

5. PUBLIC HEARINGS**A. 231 Esplanade #17-002 035-211-01**

Sidewalk Sign Permit for Margaritaville Restaurant located at 231 Esplanade in the CV (Central Village) Zoning District.

This project is in the Coastal Zone but is exempt from a Coastal Development Permit.

Environmental Determination: Categorical Exemption

Property Owner: Steve Yates

Representative: Sarah Orr, filed: 1/26/15

CONDITIONS OF APPROVAL

1. The project approval consists of one two-sided sidewalk sign for the Margaritaville Restaurant located at 231 Esplanade. The shape of the sidewalk signs is slightly different from the approved BIA design and therefore requires approval by the Planning Commission. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on February 16, 2017, except as modified through conditions imposed by the Planning Commission during the hearing.
2. The sidewalk sign must be located in the in front of the business where the sidewalk is at least seventy-eight inches in width.
3. The sidewalk sign shall be no larger than eighteen inches in width and no taller than fifty-eight inches measured from the ground.
4. The sign is designed to be attached to a metal pole which will be placed in a moveable stand. The moveable stands cannot be more than eighteen inches wide. Lights, banners, flags or similar objects shall not be placed on or adjacent to sidewalk signs.
5. The applicant shall obtain an encroachment permit from the Public Works Department for the sidewalk sign. The encroachment permit will identify the location of the sign on a base.
6. The sidewalk sign shall not interfere with pedestrian ingress or egress as required by the building code or obstruct vehicular traffic sight distance requirements. A forty-eight

inch level clear path of travel on concrete or similar material must be maintained where the sign is located.

7. Sidewalk signs shall be spaced a minimum of thirty linear feet from all other permitted sidewalk signs.
8. The sidewalk sign may be used only during the hours when the business is open to the public. At all other times the sign and base must be stored within the business premises.
9. No other temporary advertising signs may be used at the same time as the sidewalk sign is in use. This includes all banners, flags, window signs covering more than one-third of the window or other temporary signage.
10. All other signs on the property must be in conformance with the city's sign regulations prior to a sidewalk sign permit being issued.
11. Damaged or dilapidated sidewalk signs shall be replaced at the discretion of the community development director.
12. The sidewalk sign may not contain lights of any kind.
13. The owner of the business shall provide an executed city hold harmless waiver and proof of liability insurance to the satisfaction of the city attorney in the amount of one million dollars prior to placing the sign within said right-of-way.
14. 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 signage, as designed and conditioned, will maintain the character and aesthetic integrity of the subject property and the surrounding area.

The sidewalk sign was designed to maintain the character and aesthetic of the Central Village district.

B. The signage, as designed and conditioned, reasonable prevent and reduce the sort of visual blight which results when signs are designed without due regard to effect on their surroundings.

The sidewalk sign complements the Margaritaville restaurant and the Esplanade. The proposed custom sign will have a rectangular sign face built of alder wood. It will be located on the sidewalk and maintain thirty feet of separation from other approved sidewalk signs to avoid visual clutter.

RESULT:	APPLICATION WITHDRAWN
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B. 1475, 1501, 1549, 1601 41st Ave #16-201 034-151-20

Master Sign Program application for the King's Plaza shopping center, located in the CC (Community Commercial) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: Ow Family Trusts, filed: 11/2/16

Representative: North West Signs

Assistant Planner Ryan Safty presented the staff report. Property owners Ben Ow, Andrew Ow, and William Ow each spoke requesting all monument signs included in the master sign program be approved, modification of conditions of approval #5, #6, #7, #8, #10, and removal of the added condition of approval on the timing of the required removal of the large monument sign (Lucky's and Rite Aide) prior to installation of the other monument signs on the site.

The following shopping center tenants each spoke in support of the master sign program application: David Bianchi, Director of Family Service Agency of the Central Coast; Warren King, Pet Emporium; Brent Jacobs, Spin Cycle Laundry Lounge; Roy Trowbridge, Palace Office and Art Supply; and Quinn Cormier, East End Gastropub.

Commissioners' discussion included: individual tenant wall signs and requiring opaque backgrounds so only the letters and logos may be seen when illuminated, concerns and recommendations regarding the design and number of monument signs and directional signs again requiring opaque background so only letters and logos may be illuminated, and the landscape requirement which resulted in the amended conditions.

Chairperson Newman summarized the recommended amended conditions for staff.

MOTION: Approve the Master Sign Program with the following conditions and findings:

CONDITIONS OF APPROVAL

1. The project approval consists of a Master Sign Program to establish sign criteria for the King's Plaza shopping center at 1475, 1501, 1549, and 1601 41st Avenue in the CC (Community Commercial) zoning district. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on March 2, 2017, except as modified through conditions imposed by the Planning Commission during the hearing. The applicant is required to update the master sign program to reflect all conditions imposed by the Planning Commission within 30 days of the program approval.
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. Any sign illumination must be screened from direct view, so that the illumination does not shine into adjacent property or distract motorists or pedestrians.
4. Prior to issuance of individual sign permits, all Planning fees associated with permit #16-201 shall be paid in full.

5. Prior to issuance of building permit, the applicant must submit detailed landscape plans for each monument sign area. ~~The landscape plans must use native, drought tolerant plants and must use irrigation with a timer.~~
6. The master sign program shall be updated to include the requirement that all new wall-sign for a “major tenant” or the theatre site which are larger than 75 square feet shall require Planning Commission review and approval.
7. The master sign program shall be updated to allow new wall signs on the “I-South” and “N-North” elevations up to 30 square feet.
8. The master sign program shall be updated to allow suite Z to have either one 70 square foot sign on the east-side (facing 41st Avenue), or two 35 square foot signs on the east and north sides of the building.
9. Chapter 2, Item 2 of the master sign program shall be revised to state “Tenants will be required to remove any sign that does not meet landlord approval or is not approved within the Master Sign Program. Such signs will be removed immediately.
10. The monument signs shall use illumination within the lettering and logo only. The background must be solid and may not be illuminated. use individually lit channel letters with opaque or wood background materials instead of cabinet signs. (§17.57.070.A.1)
11. Wall signs shall use illumination within the lettering and logo only. The background must be solid and may not be illuminated.
12. The master sign program allows a total of 8 (eight) monument signs, not including the existing theatre sign on Capitola Road. The approval consists of 4 (four) new monument signs on 41st Avenue, 2 (two) along Capitola Road (in addition to the theatre sign), and 2 (two) along 38th Avenue. The existing wooden monument sign must be removed prior to the installation of the fourth (northernmost) monument sign on 41st Avenue. shall be updated to reflect a maximum of five monument signs on the site (four new). Two may be located along 41st Avenue, two along Capitola Avenue (including the theater sign) and one along 38th Avenue.
13. The monument signs may list a maximum of six tenants. No tenant sign may be located on more than one monument sign per street frontage.
14. The Master Sign Program package and plan set must be updated to reflect the changes requested by the Planning Commission at the March 2, 2017 Planning Commission hearing. The revised program must be submitted within 30 days of receipt of Final Local Action Notice and approved by the Community Development Director.
15. Adequate line-of-sight around the monument signs must be met. The Building Department will review this at time of building permit submittal.
16. All illumination must comply with the standards of the sign ordinance and municipal code. Animated signs and moving lights are prohibited. No sign shall have an intensity of more than fifty foot-candles as measured from the ground level.
17. The application shall be reviewed by the Planning Commission upon evidence of non-compliance with conditions of approval or applicable municipal code provisions.

18. 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.
19. 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.
20. 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).
21. 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.
22. 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.
23. 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.
24. 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.
25. There is an existing non-conforming monument sign on the northern corner of the property closest to the International House of Pancakes. The sign includes advertising for Rite Aid and Lucky's. The existing monument sign must be removed prior to installation of the monument sign. Rite Aid and Lucky's may not advertise on a monument sign along 41st Avenue until their sign is removed from the non-conforming sign.

FINDINGS

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

Community Development Department Staff, the Architectural and Site Review Committee, and the Planning Commission have reviewed the application. The proposed Master Sign Program, with the recommended conditions imposed, would meet the intent and purpose of the Community 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, the Architectural and Site Review Committee, and the Planning Commission have reviewed the proposed master sign program and determined that the Master Sign Program due to geographical constraints and large size of the site complies with the applicable provisions of the Zoning Ordinance and therefore

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 the approval of a Master Sign Program for the King's Plaza shopping center. No adverse environmental impacts were discovered during project review by either the Planning Department Staff or the Planning Commission.

D. The special signage, as designed and conditioned, is necessary and appropriate for the subject commercial site, in order to allow the site and the businesses located within it to be competitive with other businesses of a similar nature located elsewhere, and/or to be competitive with industry standards governing sale of the merchandise offered at the site.

The allowance of eight new monument signs along the perimeter of the Kings Plaza center is necessary for the center to stay competitive with the surrounding commercial uses. The center has 670 feet of frontage along 38th Avenue, 335 feet along Capitola Road, and 630 feet along 41st Avenue. The center has much more street frontage than the surrounding commercial centers and the existing signage is difficult to read from adjacent streets. In addition, the allowance of six tenants to be listed on the proposed monument signs is appropriate for the Kings Plaza Master Sign Program proposal. The center is allowed a maximum of four monument signs. With six tenants on each monument sign, the center can advertise each tenant along 41st Avenue, the main thoroughfare of the City. The center currently has 21 businesses. The added number of tenants on the monument signs is necessary for the center to be able to advertise each of their businesses.

E. The special signage, as designed and conditioned, will not have a significant adverse effect on the character and integrity of the of the surrounding area.

The special signage for additional monument signs (up to eight new) and additional tenants (up to six) to be listed on the new monument signs will not have a negative effect on the surrounding area. The massing and height of the proposed monument signs complies with code requirements. There are several other monument signs in the CC (Community Commercial) zone which similarly list more than four tenants. Additionally, the eight new monument signs will be consistent with the existing number of monument signs on neighboring properties.

RESULT:	APPROVED AS AMENDED [3 TO 2]
MOVER:	TJ Welch, Commissioner
SECONDER:	Sam Storey, Commissioner
AYES:	Welch, Smith, Storey
NAYS:	Westman, Newman

C. 4025 Brommer Street #16-222 APN: 034-164-08

Design Permit and Conditional Use Permit to develop a new three story mixed-use building with office space on the first floor and residences on the top floors with variance requests to minimum floor height and parking dimension standards, located in the CC (Community Commercial) zoning district.

This project is in the Coastal Zone and requires a Coastal Development Permit which is not appealable to the California Coastal Commission.

Environmental Determination: Categorical Exemption

Property Owner: Stuart Family Trust

Representative: Lot C Architecture, filed: 12/14/16

Assistant Planner Ryan Safty presented the staff report. Jason Wooley, project architect; discussed proposed changes to parking plan and asked for approval for one of the required covered spaces be allowed to be a compact space to better accommodate the accessible parking, which was supported by the Commission. He also agreed with the Planning Commission's request for a variance on the first floor's height, and had the support of the applicant.

Ken Gamble, neighbor spoke about concerns with size of three-story project, airflow, line of sight, parking, and landscaping plan including Mulberry trees with aggressive root system near drainage in area. Request for Italian Cypress rather than Mulberry trees.

Property owner Rob Stuart thanked planning staff Katie Herlihy and Ryan Safty for working diligently with him and the project architect. He agreed that parking is a struggle on the street and he was willing to work with neighbor to address privacy, landscaping and other concerns.

Motion by Commissioner Smith to approve the application with the swapping of the nine-foot space with the eight-foot space and a condition that the applicant work with staff and the neighbor to come up with an acceptable landscaping plan that includes trees

MOTION: Approve the Design Permit, Conditional Use Permit and Coastal Development Permit with the following conditions and findings:

CONDITIONS OF APPROVAL

1. The project approval is for the construction of a new, three-story mixed-use development at 4025 Brommer Street. The first floor would be 858 square feet of office space, and the second and third floors would consist of two, identical, 1,296 square foot two-story duplex units. The maximum Floor Area Ratio for the 5,000 square foot property is 1.0 (5,000 square feet). The total FAR of the project is 69% with a total of 3,450 square feet of floor area, compliant with the maximum FAR within the zone. The project includes approval of a variance to minimum first-story floor heights ~~and denial of a variance to parking size standards~~. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on March 2nd, 2017, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans.
3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
4. Prior to issuance of building permit, the owner shall record a Deferred Improvement Agreement for the sidewalk along the Brommer Street frontage.

5. The applicant shall enter into a landscape maintenance agreement and a cash deposit of \$2,000.00 shall be retained by the City to cover costs of replacing or maintaining landscaping for a period of three (3) years after project completion.
6. 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.
7. 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.
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. Parking Option B, as shown on sheet A1.1 of the plans, has been approved with the requirement that parking spaces #6 and #7 switch locations so that the compact space is adjacent to the "no parking" zone. The plan provides seven full-size on-site parking spaces, which is compliant with zoning regulations. The plan also provides one additional non-required space, for a total of eight, which would be undersized. The "Option B" parking plan was originally noticed as a variance, but since the proposal meets the requirements of seven on-site spaces, no variance is required.
~~The variance request to reduction of parking size standards has been denied. The final building permit plans must comply with parking standards of seven full-size parking spaces on-site.~~
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, if proposed. Native and/or drought tolerant species are recommended. The new trees proposed at the rear of the property shall be of Mulberry species, or some other species agreed upon with the neighbor to the north.
12. Prior to issuance of a building permit, the applicant must revise plans to show that 18-foot of the west side-yard landscaping strip at the back end of the building be removed and used for a vehicular turnout to the satisfaction of the Public Works Director. Outgoing vehicles would yield to incoming and utilize the turn-out area to allow the incoming vehicles to pass. Appropriate signage will be installed, facing the parking lot.
13. Prior to issuance of building permit, all Planning fees associated with permit #16-222 shall be paid in full.
14. At time of submittal for building permit review, the plans must incorporate the neighbor's privacy mitigation measures as listed in Attachment 5. These include adding fence lattice, new vegetative screens, and privacy walls on the proposed exterior second-story decks.

15. At time of submittal for building permit review, design details of the trash and recycling enclosure, including cover to the enclosure, shall be submitted to the City and approved by the Public Works Department.
16. 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 Water District, and Central Fire Protection District.
17. 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.
18. 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).
19. 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.
20. 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.
21. 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
22. 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.
23. 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.
24. 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.
25. 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.

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

FINDINGS

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

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the proposed three-story mixed-use development. The project, with the conditions imposed, conforms to the development standards of the CC (Community Commercial) zoning district with the granting of a variance to the minimum first-floor height. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance, General Plan and Local Coastal Plan.

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

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project as designed maintains the character and integrity of the neighborhood. The project will serve as a transition from commercial properties to the east and residential properties to the west. The project has been designed to ensure adequate separation and privacy from adjacent uses.

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

Section 15303 of the CEQA Guidelines exempts the construction of small structures, including new residential and office space. This project involves the construction of a three-story mixed-use building with office use on the first floor and two residential units on the second and third floors, located in the CC (Community Commercial) Zoning District. No adverse environmental impacts were discovered during review of the proposed project.

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

The subject property is on a small lot located in the CC (Community Commercial) zoning district. This portion of Brommer Street serves as a transition point between the residences to the west and commercial properties to the east. The special circumstance is the size and location of the property. The code requires that the minimum first-floor wall height in the CC zone be 15-feet. The variance allows the applicant to reduce the overall height of the proposal to better conform with neighboring uses. The Commission also approved of a parking plan (shown on sheet A1.1) which contains the required seven on-site parking spaces, but also provides an additional, non-required space which happens to be undersized. This was noticed as a variance due to the size of the eighth space, but it was determined to be unnecessary due to the proposal meeting the minimum number of parking spaces of seven.

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

The subject property is a small lot located in the CC (Community Commercial) zoning district. Allowing the reduction in the first-floor height minimum would not constitute a special privilege, as the variance allows the applicant to reduce the overall height of the proposal to better conform with neighboring uses. The Commission also approved of a parking plan (shown on sheet A1.1) which contains the required seven on-site parking spaces, but also provides an additional, non-required space which happens to be undersized. This was noticed as a variance, but it was determined to be unnecessary due to the proposal meeting the minimum number of parking spaces.

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 4025 Brommer St. The project will not affect the accessibility of the public.

(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 Brommer Street. The project will not affect the shoreline accessibility.

(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 Brommer Street. The project will not block or impede the ability of the public to get to or along the tidelands, public recreation areas, or views to the shoreline.

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

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

(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 mixed-use lot.

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 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 the construction of a new, three-story mixed use building on a commercially zoned lot of record.

SEC. 30223

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

- The project involves the construction of a new, three-story mixed use building on a commercially zoned 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 the construction of a new, three-story mixed use building on a commercially zoned 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 new, three-story mixed use building on a commercially zoned lot of record. The project complies with parking requirements.

(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 to minimum floor height has been approved.

(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;

1. 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 involves the construction of a new, three-story mixed use building on a commercially zoned lot of record. The GHG emissions for the project are projected at less than significant impact. All water fixtures must comply with the low-flow standards of the Soquel Creek Water District.

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

2. 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;

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

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

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

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

5. 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;

6. 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;

7. Geologic/engineering reports are required at time of building permit submittal. 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;

8. 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;

9. 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 conditionally approved use consistent with the Community Commercial (CC) zoning district.

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

10. The project conforms to the requirements of all city ordinances, zoning requirements and project development review and development procedures.

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

- The proposed project complies with the zoning code requirements for on-site parking.

RESULT:	APPROVED AS AMENDED [UNANIMOUS]
MOVER:	Linda Smith, Commissioner
SECONDER:	T.J. Welch, Commissioner
AYES:	Welch, Smith, Newman, Westman, Storey

D. Zoning Code Update All Properties within Capitola

Continuation of Comprehensive Update to the City of Capitola Zoning Code (Municipal Code Chapter 17).

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 Cattan, Senior Planner, City of Capitola

Senior Planner Herlihy presented zoning code update focused on Accessory Dwelling Units relative to new state legislation including definitions, utilities, parking, design, and size. The Planning Commission requested that staff return with maps identifying ranges of lot size to identify thresholds for maximum size of ADUs relative to lot size. Commission Storey requested additional information on the incentive to waive City fees in conjunction with a deed restriction for rent at affordable levels.

MOTION: Continue the Zoning Code Update to the next regular meeting on April 6, 2017

RESULT:	CONTINUED [UNANIMOUS]	Next: 4/6/2017
MOVER:	TJ Welch, Chairperson	
SECONDER:	Sam Storey, Commissioner	
AYES:	Welch, Smith, Newman, Westman, Storey	

6. DIRECTOR'S REPORT

Director Grunow reported that next week he will be presenting an amended ordinance to the City Council on the Medical Marijuana process and cultivation ordinance basically expanding it to recreational marijuana. As part of that ordinance staff will ask the Council to give some direction as to if there are any marijuana businesses that they would want to allow.

Received an application to the Sears project. Currently staff is working on completeness review.

7. COMMISSION COMMUNICATIONS

Commissioner Westman commented that she was very concerned with the Sears project and would like to make certain not to piecemeal the mall development. During General Plan there was direction that there would be a specific plan relative to the mall redevelopment and Sears is part of the mall. Request that City start the process to start a specific plan to guide uniform development. Asks that staff takes the request to City Council. Director Grunow will discuss with staff and come back to April 6 meeting with recommendations.

8. Adjournment

Approved by the Planning Commission

Minutes Clerk



STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: MAY 4, 2017
 SUBJECT: **Revised Environmentally Sensitive Habitat Area Map**

Revised Environmentally Sensitive Habitat Area Map for the Comprehensive Zoning Code update (Municipal Code Chapter 17).
 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 Cattan, Senior Planner, City of Capitola

BACKGROUND/DISCUSSION: The City of Capitola adopted an Environmentally Sensitive Habitat Area (ESHA) map in conjunction with its 1981 Local Coastal Program (LCP). The existing ESHA map (Attachment 1) includes areas of the City which are fully developed and do not support sensitive habitat or state or federally listed plant or animal species. For example, the current ESHA map includes portions of the central Village and Beach and Village Parking Lot #2.

Development within or adjacent to a mapped ESHA is subject to special regulations and increased setbacks to prevent or minimize impacts to sensitive biological resources. Consequently, it is important that the City have an accurate and up-to-date ESHA map.

Staff contracted with a qualified biologist to review the existing ESHA map, perform a qualitative biological survey, and create a revised map based on actual, on-the-ground conditions. Based on her field observations and professional judgment, the biologist has prepared a new ESHA map (Attachment 2) which excludes developed areas such as the Village and Beach and Village Parking Lot #2. The updated map also adds previously unmapped ESHAs near New Brighton State Park which are undeveloped and support native habitat. A figure showing the updated ESHA compared to the previously mapped areas is included as Attachment 3.

The revised map, if approved by the Planning Commission and City Council, would be included in the Zoning Code update.

CEQA: An Addendum to the General Plan Update EIR has been prepared for the Zoning Code update.

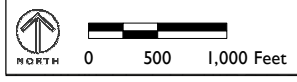
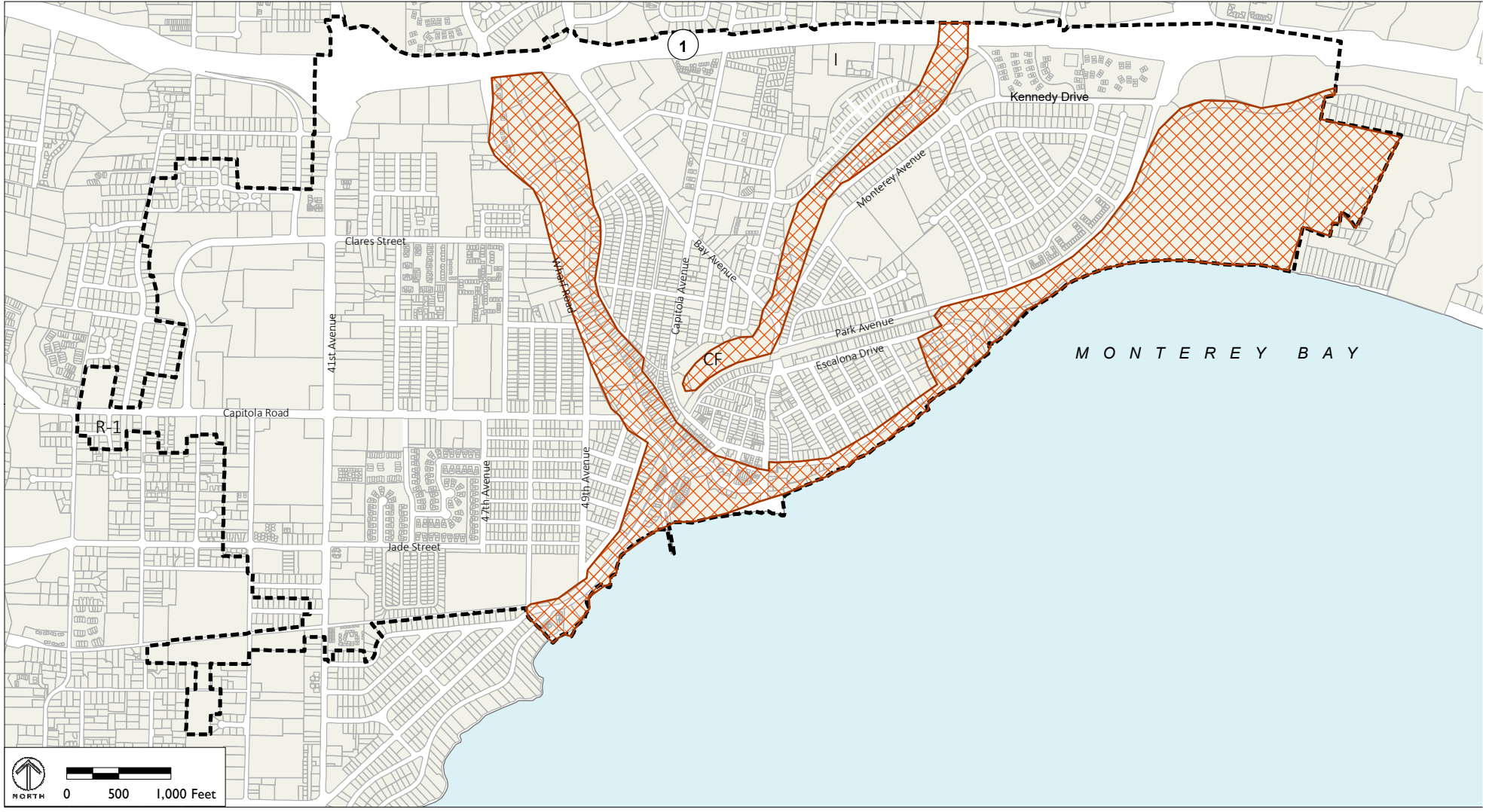
RECOMMENDATION: Accept revised ESHA map for inclusion into the Zoning Code update.

ATTACHMENTS:

1. Current ESHA Map
2. Revised Capitola ESHA Map
3. Capitola ESHA Map Comparison

Prepared By: Rich Grunow
Community Development Director

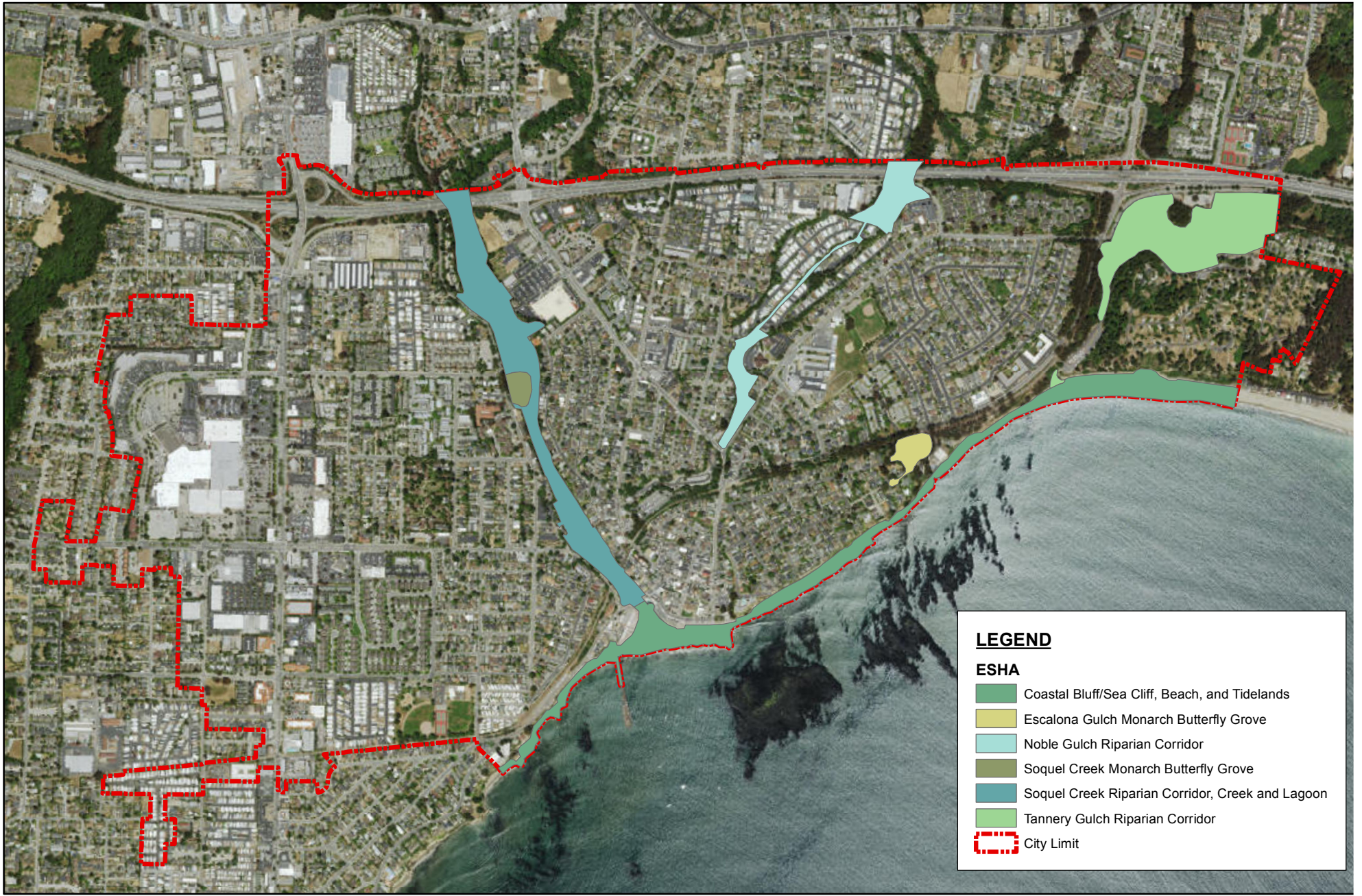
CITY OF CAPITOL
ZONING CODE UPDATE



-  Environmentally Sensitive Habitat
-  City Limit

Source: ESRI, 2017; PlaceWorks, 2017

Attachment: Current ESHA Map (1840 : Revised Environmentally Sensitive Habitat Area Map)

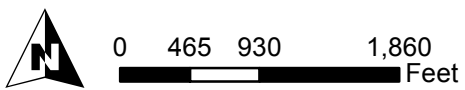


LEGEND

ESHA

- Coastal Bluff/Sea Cliff, Beach, and Tidelands
- Escalona Gulch Monarch Butterfly Grove
- Noble Gulch Riparian Corridor
- Soquel Creek Monarch Butterfly Grove
- Soquel Creek Riparian Corridor, Creek and Lagoon
- Tannery Gulch Riparian Corridor

City Limit



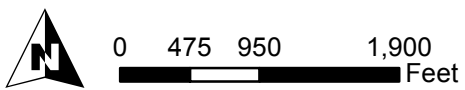
Source: ESRI, 2017; Kimley-Horn, 20

Attachment: Revised Capitola ESHA Map (1840 : Revised Environmentally Sensitive Habitat Area Map)



LEGEND

- Updated Environmentally Sensitive Habitat
- Previous ESHA Boundary
- City Limit



Source: ESRI, 2017; Kimley-Horn, 20

Attachment: Capitola ESHA Map Comparison (1840 : Revised Environmentally Sensitive Habitat Area



STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: MAY 4, 2017
 SUBJECT: **2205 Wharf Road #16-041 APN: 034-141-34**

Minor land division to create two lots of record and a design permit for a new Single-Family Residence for a property located in the RM-LM (Residential Multi-Family – Low-Medium Density) Zoning District.

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

Environmental Determination: Categorical Exemption

Property Owner: Christopher Wright

Representative: Dennis Norton, filed: 3/14/16

APPLICANT PROPOSAL

The application includes a minor land division to create two lots of record from a single legal lot. The applicant is also seeking a design permit for a new single-family home on the newly created lot located along Wharf Road. There is an existing triplex on the rear lot. The project is located in the RM-LM (Multiple-Family Low Density) Zoning District.

BACKGROUND

On April 13, 2016, the Architectural and Site Review Committee reviewed the application.

- Committee Architect Frank Phanton had no concerns with the proposed design.
- Landscape Architect Craig Waltz was unable to attend the meeting.
- City Public Works representative Danielle Uharriet, explained that the project is a Tier 1 project and provided specific conditions of approval to be incorporated into the permit. A utility plan was also requested with existing and proposed utilities, a title report with utility easements, and status (public or private) for all utilities.
- City Building representative, explained separation requirements for fire.
- City Planner, Katie Cattan, requested that the applicant modify the existing deck to comply with setbacks to maintain compliance within the minor land division.

On August 4, 2016, the Planning Commission reviewed the application. During the public hearing concerns were raised by neighbors regarding the sewer connection, intensification of property with additional units and access, emergency egress/access from Loma Vista Estates, safety into and out of the driveway, garbage pickup, and pedestrian safety. The Planning Commission continued the application and requested that staff provide additional information on the utilities connections and the emergency fire egress/access for Loma Vista Estates.

The following list includes updates on the status of utilities and access:

1. Emergency Egress/Access from Loma Vista Estates. The Fire Marshal, Mike DeMars, provided a letter to the City stating that he has reviewed the “proposed building plans and it appears that the construction will not encroach into the driveway or access point.” He further explains that it will be a self-enforcement issue for the property owner to keep the driveway clear. No issues were identified by Mr. DeMars. (Attachment 2)
2. Access Easement. There is a private easement for driveway access granted from 2225 Wharf Road to 2205 Wharf Road for the existing driveway that was recorded in 1987 (Attachment 3). 2205 Wharf Road currently utilizes the easement for access. Use and enforcement of the easement is a civil matter which does not involve the City of Capitola.
3. Soquel Creek Water District. The Soquel Creek Water District granted an Unconditional Will Serve Letter for the project (Attachment 4).
4. Sewer. The Santa Cruz County Sanitation District provided a letter confirming the sewer service is available for the proposed development through an existing 1966 easement that connects to a sewer line under the adjacent mobile home park (Attachment 4). The applicant also received a letter from Loma Vista Estates acknowledging that the project would not be connecting to the Loma Vista sewer line (Attachment 5).
5. Driveway access and safety. Public Works has not identified a significant impact on safety and visibility into and out of the driveway due to the introduction of a single-family home.
6. Trash management. The property owner, Christopher Wright, explained that the triplex consolidates its trash into two gray garbage cans and two blue recycling cans. The new single family home will add one more of each can. Mr. Wright explained that staging the trash and recycling cans has not been an issue. He is willing to trim existing vegetation if the neighbor would like him to in an effort to create more room on trash day.

DISCUSSION

Subdivision

The applicant is proposing to subdivide the single 19,854 square foot lot of record into two lots (Attachment A). The minor subdivision will create a flag lot with shared driveway access. The existing parcel is approximately 114 feet wide by approximately 180 feet deep. Due to existing development on the property, the applicant is proposing a front lot with a rear flag lot. The tentative parcel map identifies the rear lot as Parcel A and the front lot as Parcel B.

Lot Area and Dimensions

The follow table outlines the lot area and dimension requirements for development in the RM-LM Zoning District relative to the application:

Lot area and Dimensions	
Minimum lot area for a structure containing one or more dwellings units shall be 5,000 sf. Minimum lot width 50 feet; minimum lot depth 100 feet	
Code Requirements	Proposed
Lot Size: 5,000 sf minimum	Parcel A: 14,621 sq. ft. (triplex)
	Parcel B: 5,233 sq. ft. (single-family proposed)
Lot Width: 50 feet minimum	Parcel A: 80 ft.
	Parcel B: 56 ft.

Lot Depth: 100 feet minimum	Parcel A: 112 ft.
	Parcel B: 94 ft. (6 ft. less than standard)
Site Area Per Dwelling Unit	
RM-LM: 4,400 sf per dwelling unit	Parcel A: Triplex. 13,200 sf minimum
SF: 5,000 sf per dwelling unit	Parcel B: Single-Family. 5,000 sf minimum

Subdivision Design Standards.

Subdivision applications are reviewed for compliance with Chapter 16 of the Municipal Code. The following analysis includes the underlined design standards for lots (§16.24.170) preceding staff analysis:

A. The size and shape of lots shall be in conformance to any zoning regulations effective in the area of the proposed subdivision.

Staff Analysis: The subdivision complies with the minimum area per dwelling unit and minimum lot width. The applicant is requesting an exception to the 100-foot minimum lot depth to 94 feet. This minor deficiency is due to the shared driveway being an exclusive part of parcel A. If the driveway in front of Parcel B had included the driveway, the standard would have been met for each lot.

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 lots are at right angles to the shared driveway access.

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

Staff Analysis: The tentative map does not include the setback lines of the zone. The application includes an existing triplex on parcel A and a single-family home on parcel B that comply with all development standards and design standards for the multi-family zone.

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

Staff Analysis: The entire property is located within the City of Capitola limits.

E. Lots without frontage on a dedicated public street of twenty feet or more will not be permitted.

Staff Analysis: The applicant is proposing a flag lot. Parcel A has 20 feet of frontage on Wharf Road. Parcel B has 20 feet of frontage off the shared driveway, but not the dedicated street. The subdivision is accessed from the neighboring property at 2225 Wharf Road through an existing driveway easement.

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

Staff Analysis: Not applicable.

G. In riparian corridors no lots may be created which do not contain adequate building area outside the riparian or stream setback.

Staff Analysis: Not applicable.

Development Standards Summary

Development of a single-family home in the RM-LM zone must comply with the development standards of the R-1 zoning district. The following table outlines the development standards of the R-1 zoning district relative to the proposed single-family home on Parcel B.

Use		
Proposed Use		Single Family
Principal Permitted or CUP?		Principally Permitted
Development Standards		
Building Height	R-1 Regulation	Proposed
	25'	25'
Floor Area Ratio (FAR)		
Lot Size		5,233 sq. ft.
Maximum Floor Area Ratio		49 % (Max 2,564 sq. ft.)
First Story Floor Area		1,164 sq. ft.
Second Story Floor Area		880 sq. ft.
Garage		436 sq. ft.
TOTAL FAR		2,480 sq. ft.
Yards		
	R-1 Regulation	Proposed
Front Yard 1st Story	15 feet	20 ft.
Front Yard Garage	20 feet	20 ft.
Side Yard 1st Story	10% lot width Lot width <u>56</u> ft <u>5.7</u> ft. min.	8 ft.
Rear Yard 1st Story	20% of lot depth Lot depth <u>94</u> ft <u>18.8</u> ft. min.	19 ft.
Encroachments (list all)	Rear and side yard decks on the ground level which are thirty inches or less above grade may encroach into the required setbacks; provided, that these features are setback at least three feet from the property line.	Deck in rear and side yard comply with height and 3 ft. setback requirement
Parking		
	Required	Proposed
Residential (from 2,001 up to 2,600 sq. ft.)	3 spaces total 1 covered	3 spaces total 2 covered 1 uncovered
Underground Utilities: required with 25% increase in area		Required

In establishing a minor land division, the existing structure onsite should remain in compliance with the development standards with the introduction of the new lots. The triplex located on Parcel A, complies with all development standard of the RM-LM (Multi-family Low Density) zoning district with the proposed new property lines including height, lot coverage, setbacks, landscaping, open space, and parking requirements of the zone (Attachment 5). The owner removed a portion of an existing deck to comply with the setback standards.

Design Permit

2205 Wharf Road is in the Multi-Family, Low Density (RM-LM) zoning district. The street has a mix of housing types including single-family homes, secondary dwelling units, multi-family dwellings, and mobile homes. The proposed single-family home will complement the existing land uses in the nearby vicinity. Currently, there is one existing triplex on parcel A. The structure is not listed on the 2005 City of Capitola Historic Structures List or the 1986 Capitola Architectural Survey.

There is a significant change in grade of ten feet from street to the building pad of Lot B in the front and an additional 5 feet in grade to Lot A. The driveway will be repositioned slightly to accommodate Lot B, but overall follows the existing shape across the front of the property then curving to follow the side lot line to the existing home on the rear lot. Minor grading changes will take place for the driveway but excavation is limited.

The change in grade combined with the existing vegetation along Wharf Road creates privacy within the lot and natural screening from the street. The new single-family home will not have a presence along the street. Each of the residences is oriented toward the shared driveway rather than the street. This orientation is practical for the purpose of safe access and lack of visibility from Wharf Road.

The new single-family home is a two-story residence in which the second story is setback from the first. The home will be finished with stained wood shingle siding and white wood trim. A 12-inch belly band will be painted white and visually separate the two stories. All windows and doors will have a four-inch trim. The new home will have a redwood deck by the entrance and on the west side of the home around the existing coastal redwood tree.

There are six mature trees on the site. The owner is proposing to remove two trees due to proximity of the trees to the new home, one deodar cedar and one apple tree. A tree removal permit is required for the deodar cedar due the mature 30 inch diameter. Fruit trees do not require a tree removal permit. The owner plans to plant four white crape myrtle, multi-trunk trees between the driveway and the home. This is double the required replanting for a tree removal ratio of two plantings per one removal.

The landscape plan includes additional planting around the periphery of the property including a mix of grasses, perennials, and shrubs. Boulders will be placed within the landscape area in front of the new single-family home. A new six-foot-high fence is proposed along the rear property line.

Capitola Municipal Code 12.04.170 requires the construction of curb, gutter, and sidewalk on development projects except in areas deemed sidewalk exempt by the City. This property is not located in a sidewalk exempt area. Currently, there are not sidewalks along this stretch of Wharf Road. Condition of approval #5 requires the owner enter into a deferred sidewalk agreement with the City to ensure construction of curb, gutter, and sidewalk at a future date.

CEQA REVIEW

Section 15315 of the CEQA Guidelines exempts minor land divisions in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and Zoning. No adverse environmental impacts were discovered during review of the proposed project.

RECOMMENDATION

Staff recommends the Planning Commission **approve** project application #16-041 based on the following Conditions and Findings for Approval.

1. The project approval consists of design permit for a new single family home and a minor land division at 2205 Wharf Road. The new single-family home in the RM-M zone is reviewed for compliance with the R-1 (single family) zoning district development standards. The maximum Floor Area Ratio for the 5,233 square-foot property is 49% (2,564 square feet). The total FAR of the project is 2,480 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 4, 2017, except as modified through conditions imposed by the Planning Commission during the hearing.

2. The project consists of the subdivision of a 19,854 square foot lot into two lots. The minor land division will create a flag lot with shared driveway access. The tentative map identifies the front lot as Parcel B and the rear lot as Parcel A. Parcel A will be 14,621 square feet and Parcel B 5,233 square feet.
3. The applicant shall prepare a final parcel map by a registered civil engineer and shall submit the final map for review, approval, and recording by the City's surveyor and the Public Works Department. The parcel map shall include new legal descriptions.
4. Prior to recordation of the final parcel map, all plans and profiles of improvements shall be approved by the Director of Public Works and the construction of said improvements shall be in accordance with the City Specifications and shall be inspected by the Director of Public Works or his authorized agent, subject to fees appropriate for the services. Installation of a public sidewalk along Wharf Road is a required improvement. In lieu of installing this sidewalk the developer shall enter into a deferred improvement agreement with the City.
5. Prior to recordation of the final parcel map, a maintenance agreement and access easement for the shared driveway shall be recorded and referenced on the parcel map. The access easement must be reviewed and approved by the City attorney prior to recordation.
6. Available and necessary utilities, including CATV hookup facilities, with connections to each lot within the subdivision, shall be constructed in accordance with the utility's requirements. All utilities for lot A shall be underground.
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 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).
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, if proposed. Native and/or drought tolerant species are recommended.

12. Prior to issuance of building permit, all Planning fees associated with permit #16-041 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 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 a project final, the applicant shall execute an Operation and Maintenance Agreement, for each lot, for the purpose of operating and maintaining the on-site stormwater improvements.
17. 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 maintained throughout the duration of the construction project.
18. 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.
19. 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
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 shielded and placed out of public view on non-collection days.

FINDINGS

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

Community Development Department Staff and the Planning Commission have reviewed the project. The minor land division, together with the provisions for its design and improvement, is consistent with the objectives of the Zoning Ordinance and General Plan. The new single-family home complies with requirements of the zoning district

B. The application is consistent with the Subdivision Map Act and local Subdivision Ordinance.

The minor land division was designed in accordance with the Subdivision Map Act and local ordinances enacted pursuant thereto. Per the Subdivision Map Act, the proposed map is consistent with the General Plan, is physically suited for the proposed type and density of development, will not likely cause substantial environmental damage, or substantially and avoidably injure fish, wildlife or their habitats, will not cause serious public health problems, and will not conflict with public easements for access through, or use of, property within the proposed subdivision.

C. This project is categorically exempt under Section 15315 of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.

Section 15315 of the CEQA Guidelines exempts minor land divisions in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and Zoning.

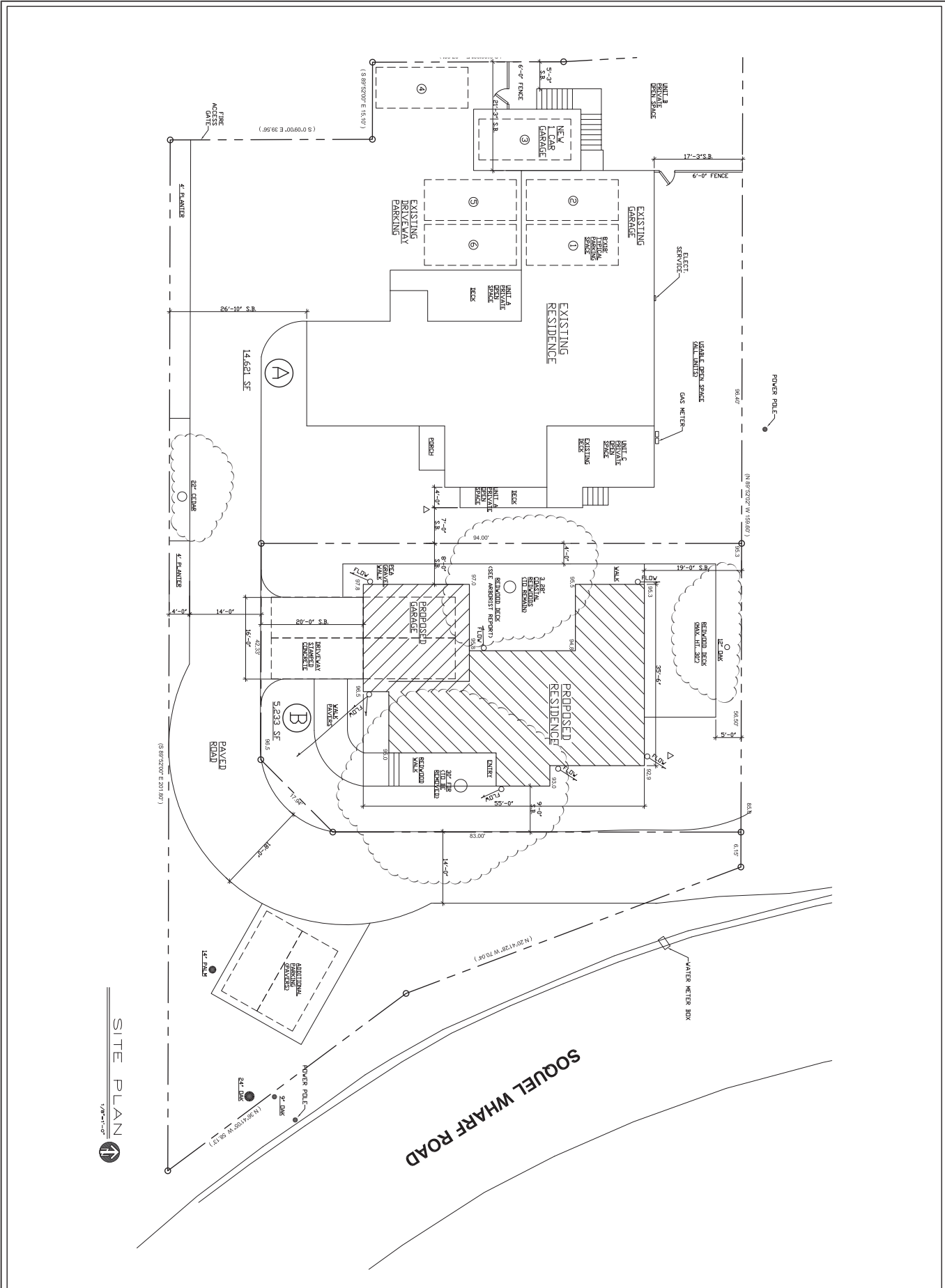
D. The application will maintain the character and integrity of the neighborhood.

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the design of the single-family home. The structures fit within the built environment of the neighborhood. The neighborhood is characterized by a mix of residential densities including single family homes, secondary structures, multi-family homes, apartments, and mobile homes.

ATTACHMENTS:

1. 2205 Wharf Rd Plans
2. Driveway Easement
3. Soquel Creek Water District
4. Letter from Fire Marshal Mike DeMars
5. Santa Cruz County Sanitation District

Prepared By: Katie Herlihy
Senior Planner



SITE PLAN
1/8" = 1'-0"

SOQUEL WHARF ROAD

SHEET
2
OF 4 SHEETS

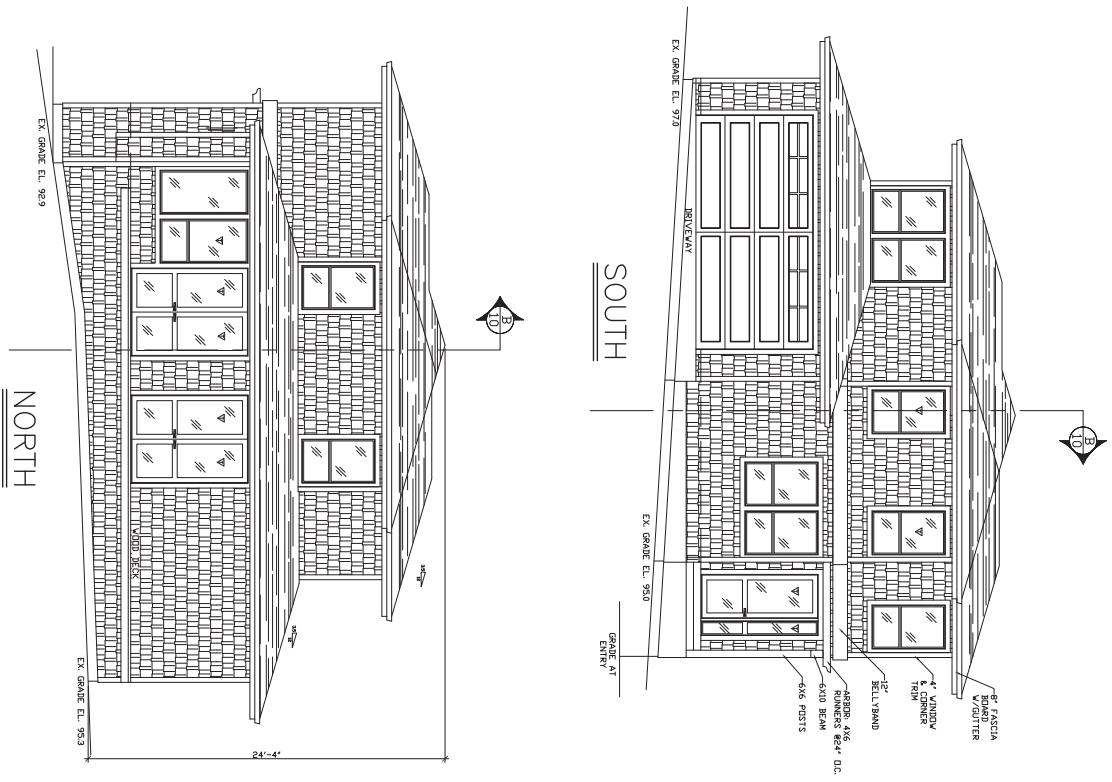
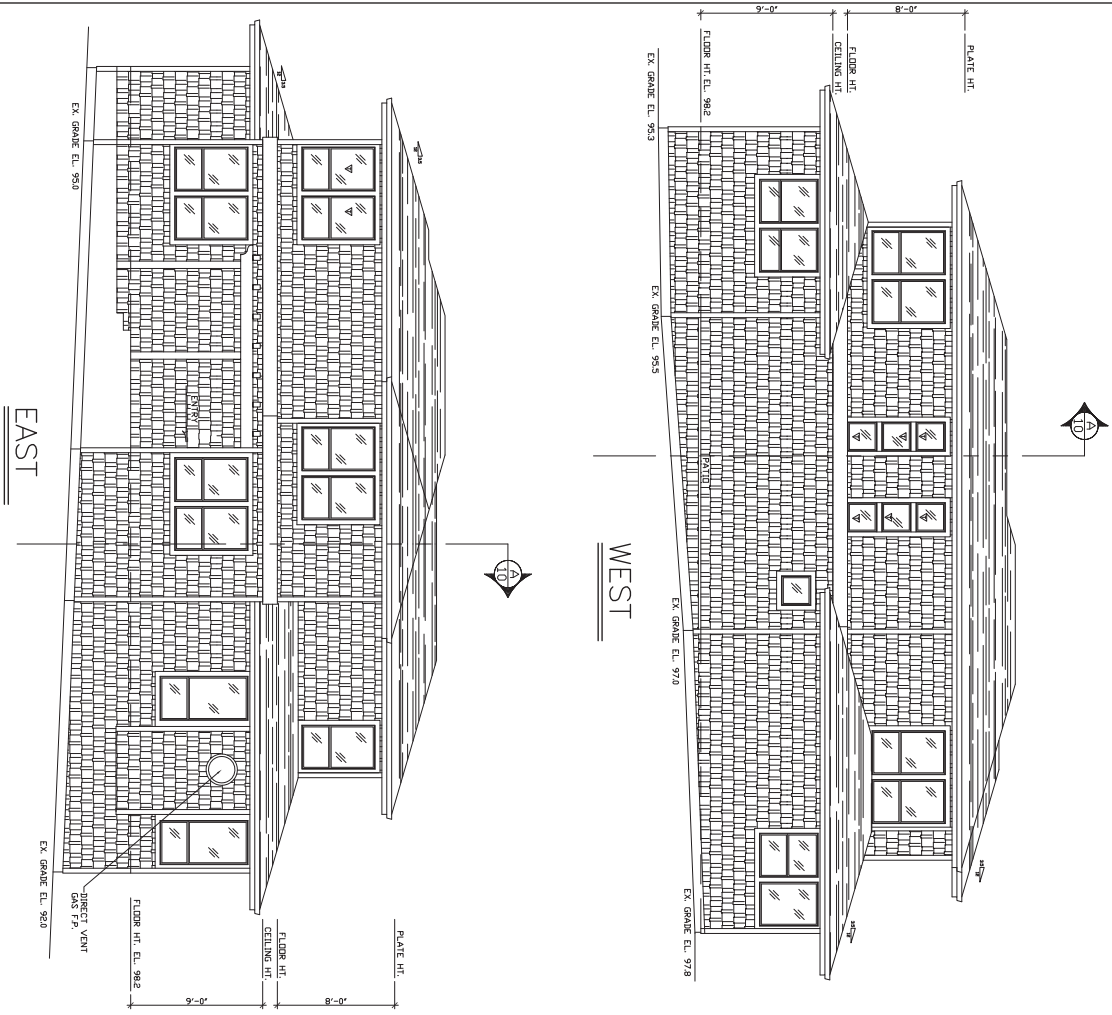
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SITE PLAN

DENNIS NORTON
HOME DESIGN AND
PROJECT PLANNING
712 C CAPITOLA AV - CAPITOLA, CA 95010 • 831 476 2616
FAX: 476 2616

WRIGHT RESIDENCE
2205 SOQUEL WHARF RD
CAPITOLA, CA 95010
APN 034-141-34

REVISIONS	DATE	BY



ELEVATIONS
1/4"=1'-0"

NOTE: ▽ = TEMPERED GLASS

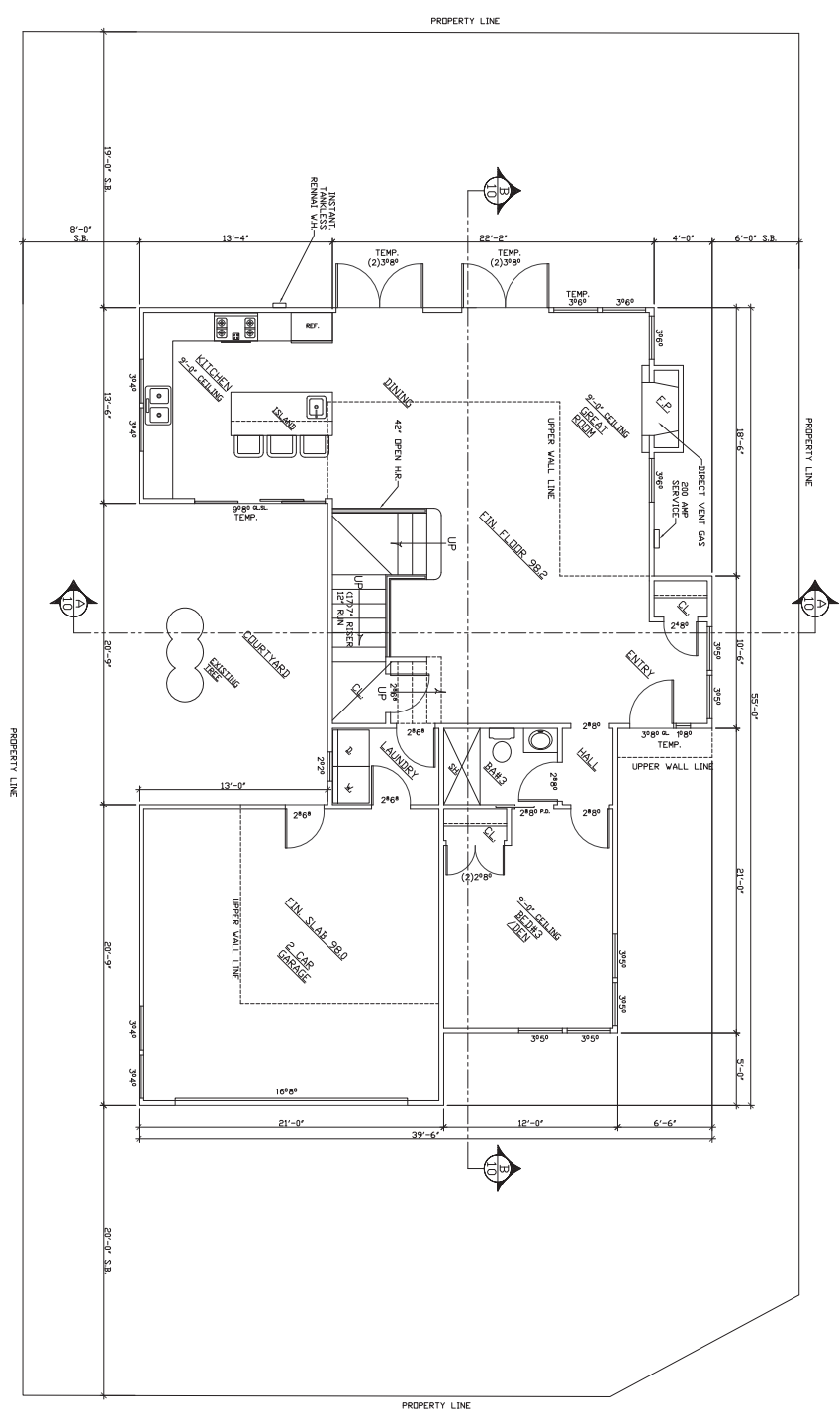
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SHEET	7
OF	8 SHEETS

LOT B
ELEVATIONS

DENNIS NORTON
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WRIGHT RESIDENCE
2205 SOQUEL WHARF RD
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APN 034-141-34

REVISIONS	BY	DATE



MAIN LEVEL

LIVING = 1164 SF
 DINING = 436 SF
 TOTAL LIVING = 2444 SF

FLOOR PLAN



6
 SHEETS

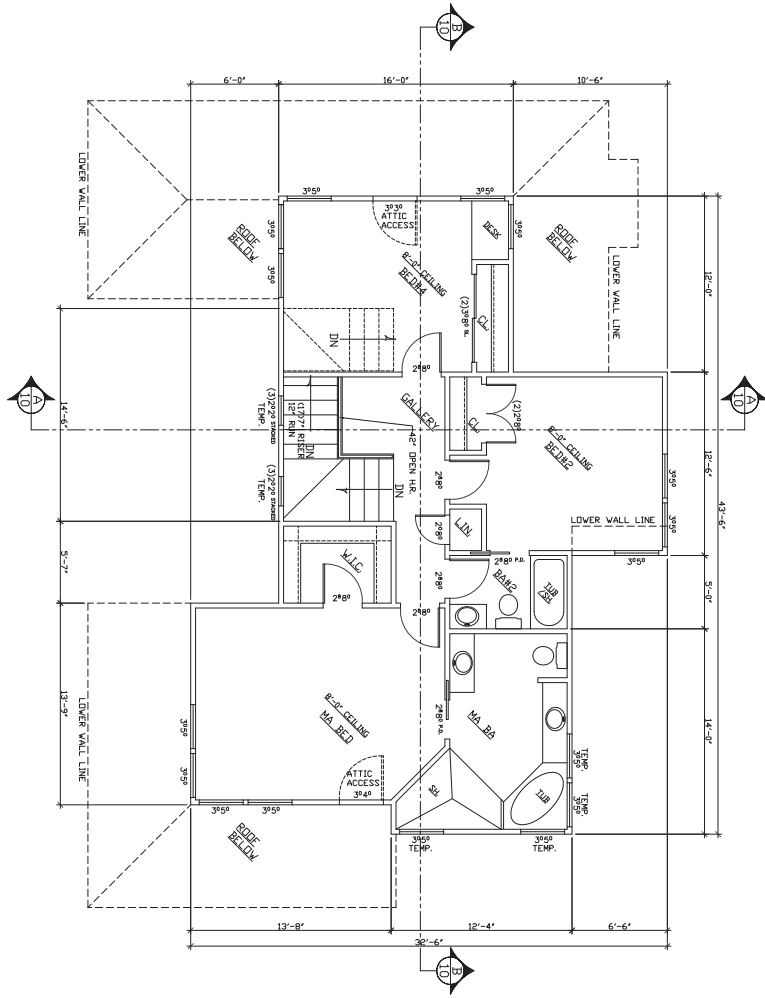
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 JOB NO. WHARF B
 SCALE: 1/4" = 1'-0"

LOT B PROPOSED
 1ST FLOOR PLAN

DENNIS NORTON
 HOME DESIGN AND
 PROJECT PLANNING
 712 C CAPITOLA RD. CAPITOLA, CA. 95010 831 476 2616
 FAX: 476 2616

WRIGHT RESIDENCE
 2205 SOQUEL WHARF RD
 CAPITOLA, CA 95010
 APN 034-141-34

REVISIONS:	BY:	DATE:



UPPER LEVEL

LIVING = 888 SF

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

SHEET
OF 4
5
SHEETS

DATE: 01/27/16
JOB NO. WHARF B
SCALE: 1/4"=1'-0"
DRAWN: GG

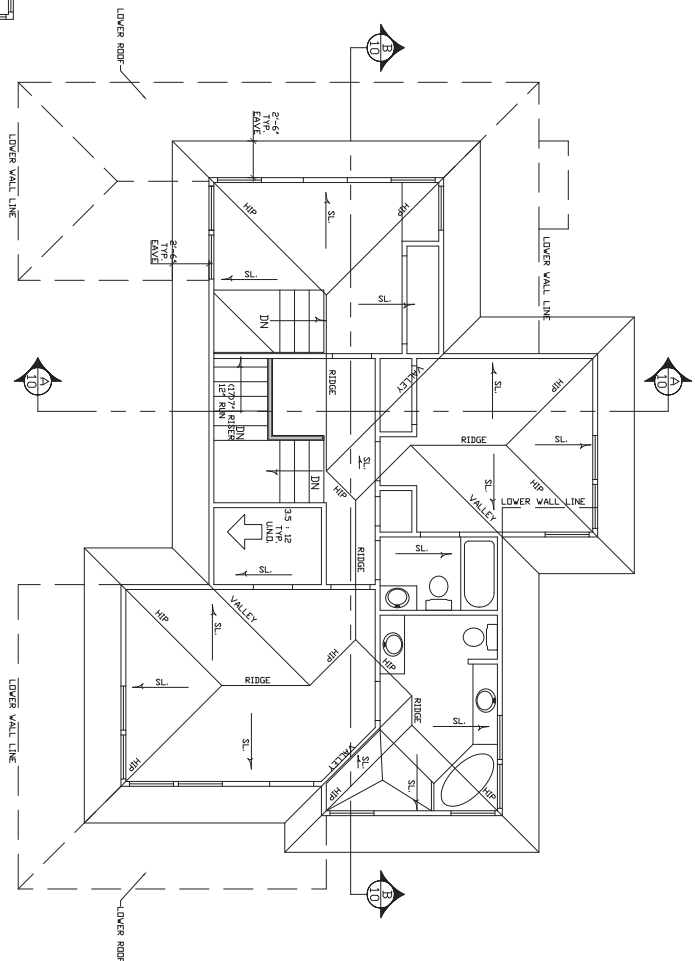
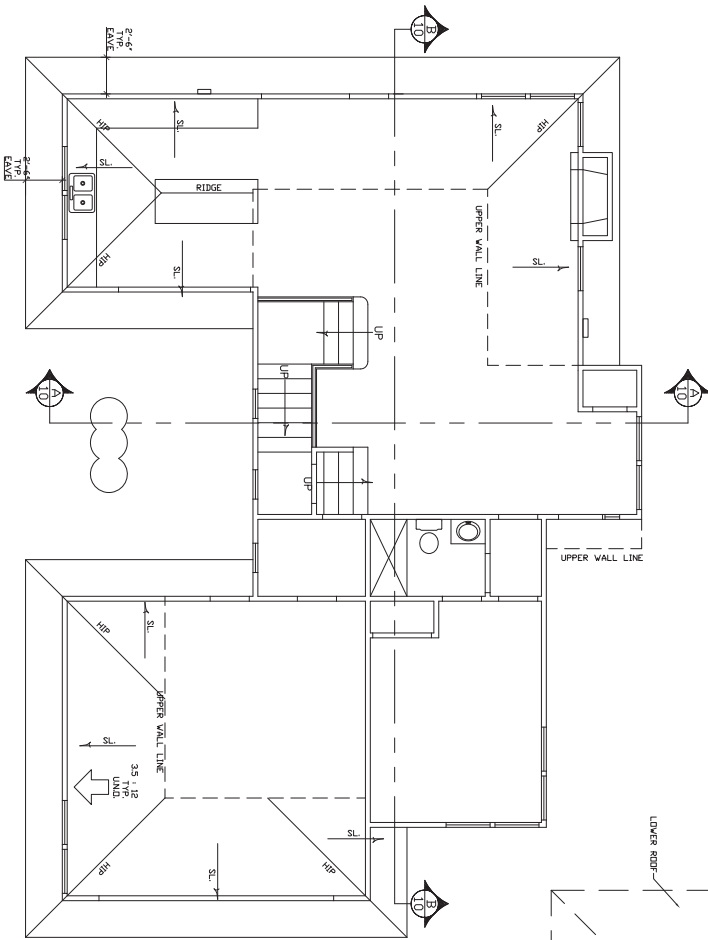
LOT B PROPOSED
2ND FLOOR PLAN

DENNIS NORTON
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712 C CAPITOLA RD. CAPITOLA, CA. 95010 831 476 2616
FAX: 476 2616

WRIGHT RESIDENCE
2205 SOQUEL WHARF RD
CAPITOLA, CA 95010
APN 034-141-34

APPROVALS:
OWNER: DENNIS NORTON
2205 SOQUEL WHARF RD
CAPITOLA, CA 95010

REVISIONS:	BY:	DATE:



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

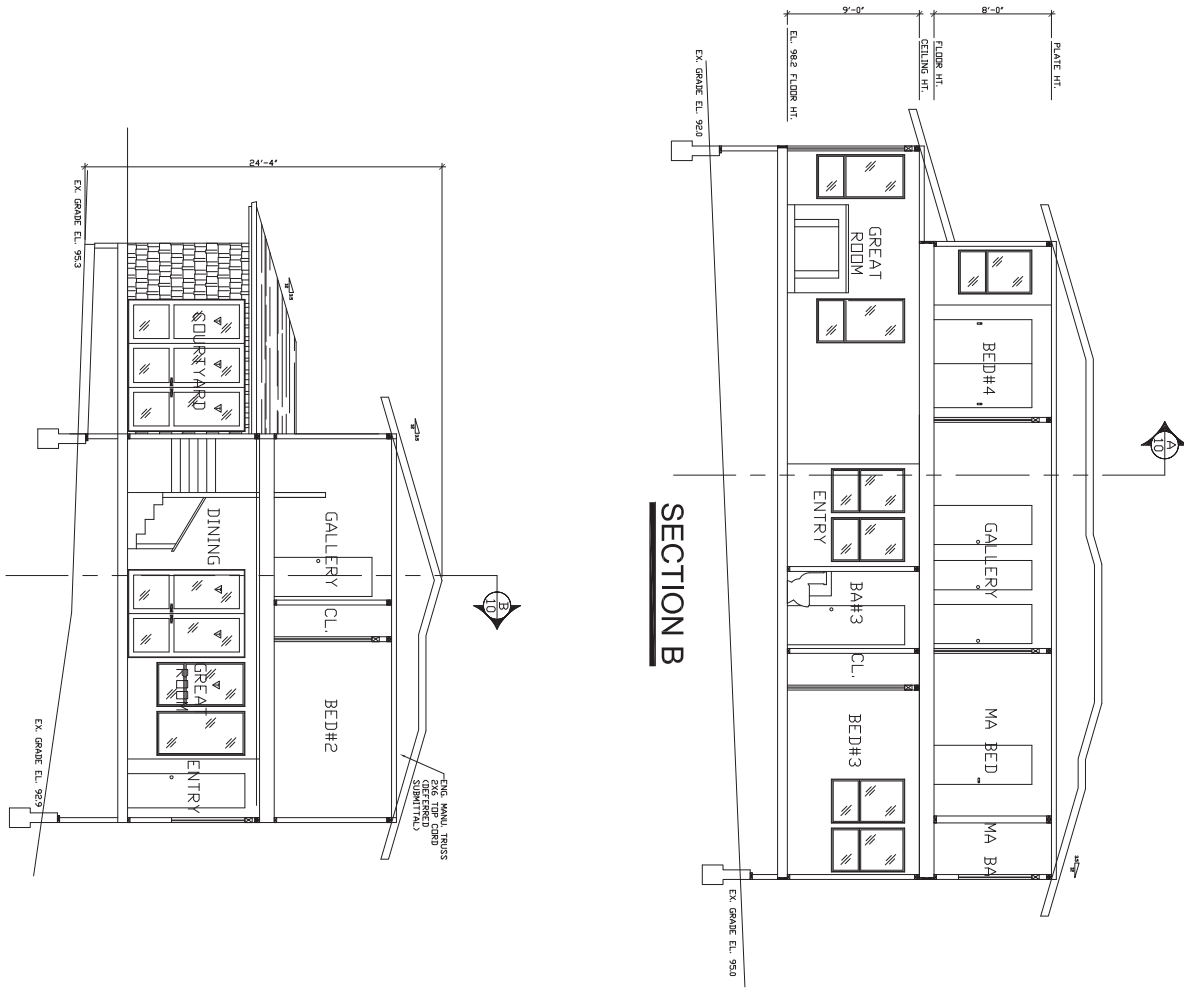
LOT B
ROOF PLANS

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WRIGHT RESIDENCE
2205 SOQUEL WHARF RD
CAPITOLA, CA 95010
APN 034-141-34

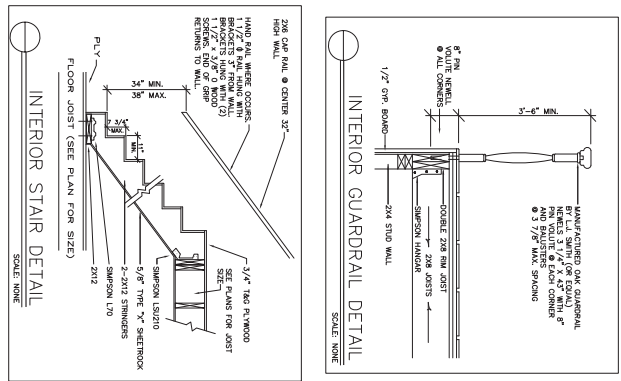
REVISIONS	BY	DATE

SHEET
8
OF 8
SHEETS
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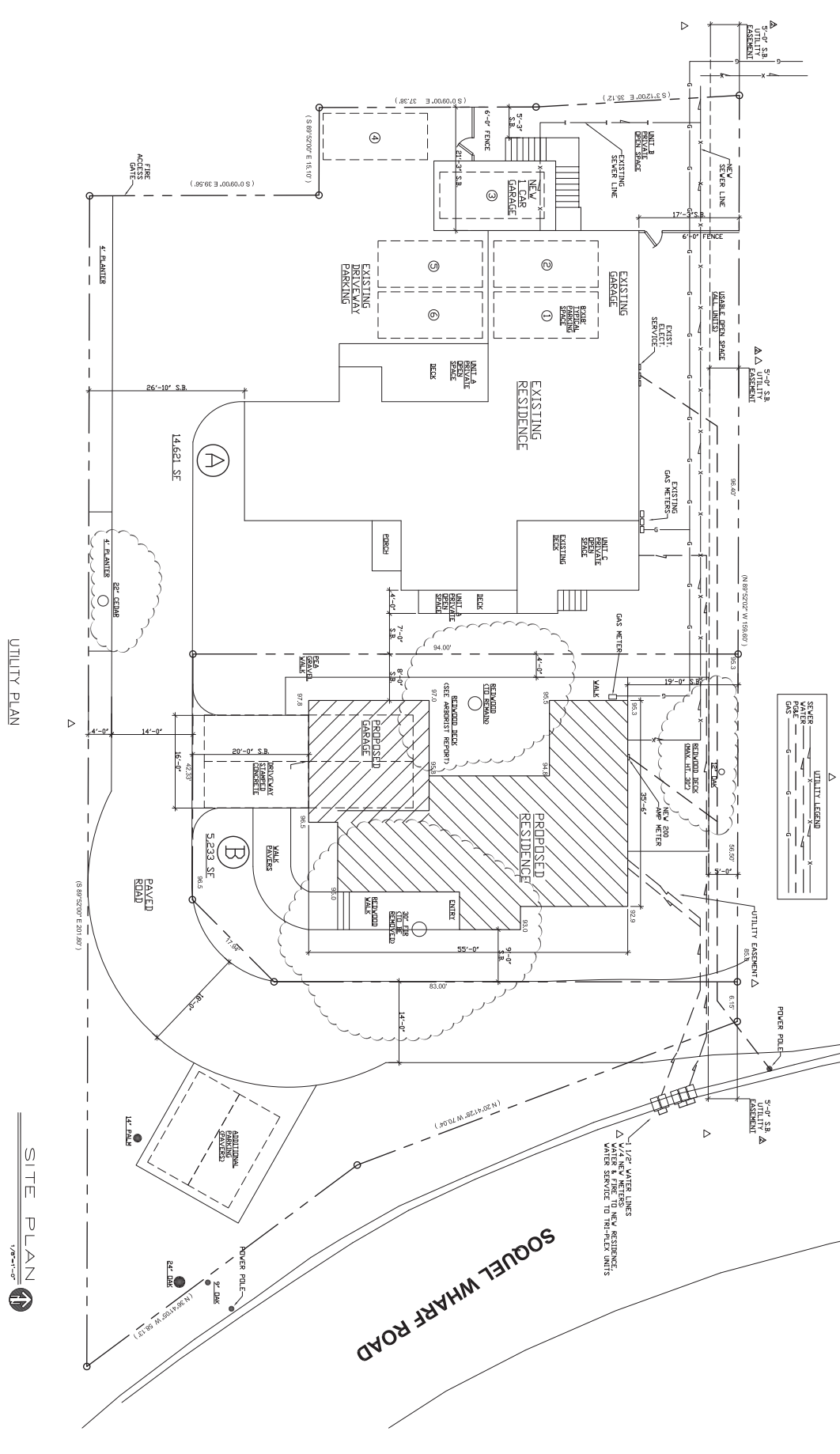
SECTION A

SECTION B



SECTIONS
1/4"=1'-0"

<p>10</p> <p>SHEETS</p>	<p>SECTIONS</p>	<p>DENNIS NORTON HOME DESIGN AND PROJECT PLANNING</p> <p>712 C CAPITOLA AV. • CAPITOLA, CA 95010 • 831 476 2616 FAX: 476 2616</p>	<p>WRIGHT RESIDENCE 2205 SOQUEL WHARF RD CAPITOLA, CA 95010 APN 034-141-34</p>	<p>OWNER: DENNIS NORTON 2205 SOQUEL WHARF RD CAPITOLA, CA 95010</p>	<p>REVISIONS:</p> <table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	NO.	DATE	DESCRIPTION									
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UTILITY PLAN

SITE PLAN

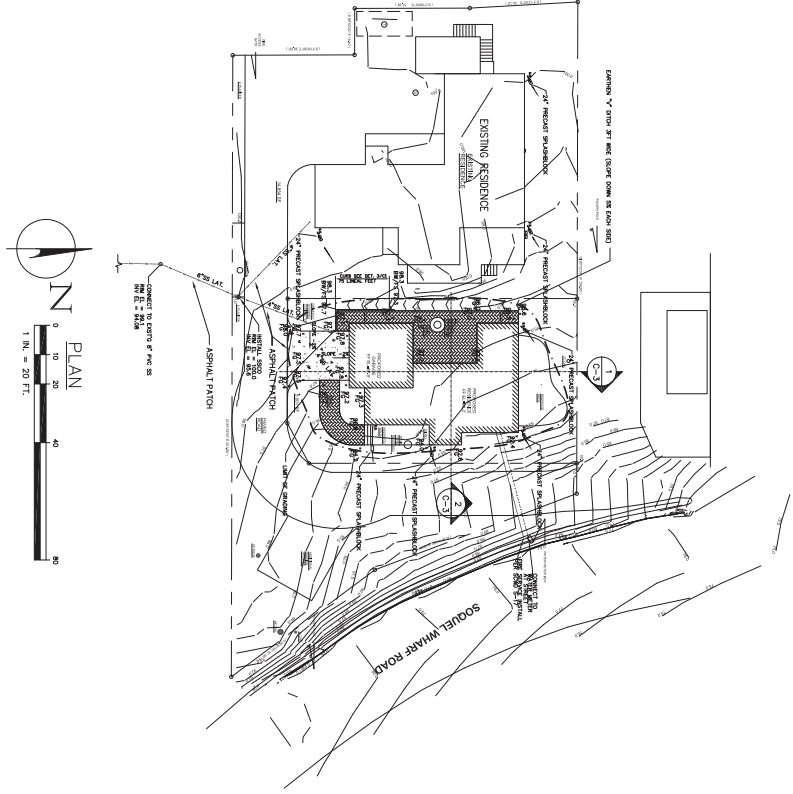
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 SHEET: UT
 OF: 4 SHEETS

UTILITY PLAN

DENNIS NORTON
 HOME DESIGN AND
 PROJECT PLANNING
 712 C CAPITOLA AV. CAPITOLA, CA 95010 • 831 476 2616
 FAX: 476 2616

WRIGHT RESIDENCE
 2205 SOQUEL WHARF RD
 CAPITOLA, CA 95010
 APN 034-141-34

REVISIONS	DATE	BY	DESCRIPTION
1	05/08/16	CG	ISSUED FOR PERMITS
2	05/08/16	CG	ISSUED FOR PERMITS



ESTIMATED EARTHWORK VOLUMES:

AREA	EXCAVATION
RESIDENCE	(20) CU YARDS
NET EXPORT	20 CU YARDS

EARTHWORK VOLUMES SHOWN ARE TO SATISFY PERMIT REQUIREMENTS ONLY AND ARE NOT TO BE USED FOR CONSTRUCTION PURPOSES. ACTUAL EARTHWORK VOLUMES RESPONSIBILITY TO CALCULATE EARTHWORK VOLUMES PRIOR TO CONSTRUCTION.

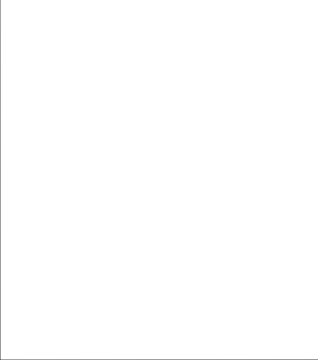
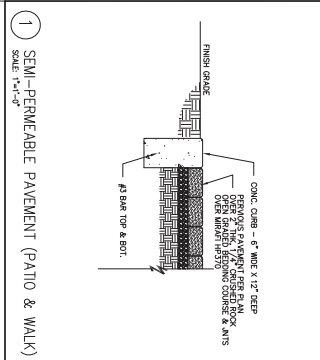
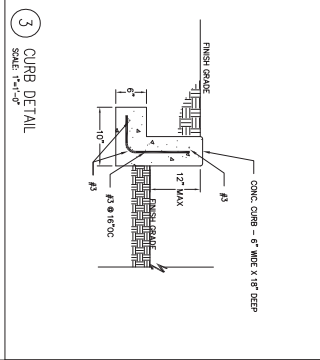
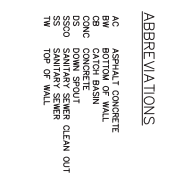
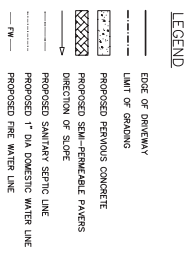
IMPERVIOUS SURFACES:

TOTAL SITE AREA =	5494 SF	0.13 AC
EXISTING IMPERVIOUS SURFACES =	0 SF	0 AC
PROPOSED IMPERVIOUS SURFACES =	2726 SF	0.062 AC
EXISTING SEMI-IMPERVIOUS SURFACES =	0 SF	0.0 AC
PROPOSED SEMI-IMPERVIOUS SURFACES =	729 SF	0.017 AC
(WALK/PATIO)		

SANITARY SEWER FLOW

DATE	PROPOSED FLOW (GPD)	FLOW RATE (GPD)
1/15/16	150	165 GPM
1/15/16	150	153 GPM

NOTES:
1. SEE PERFORMANCE OF ANY LAND IS TO HAVE PLACE PRIOR TO HOUSING & FIRE CONSTRUCTION. MEETING ON-SITE WITH ROBERT LOVELAND ENVIRONMENTAL PLANNER (833)454-3163



REGIONS

BAIRD
STRUCTURAL
DESIGN, INC.
NEW YORK, NY
CALIFORNIA
831-661-0564

GRADING, DRAINAGE & UTILITIES
1/8"=1'-0"

WRIGHT RESIDENCE
2205 SOQUEL WHARF ROAD
CAPITOLA, CA
APN 034-141-34

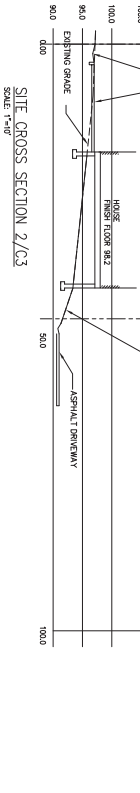
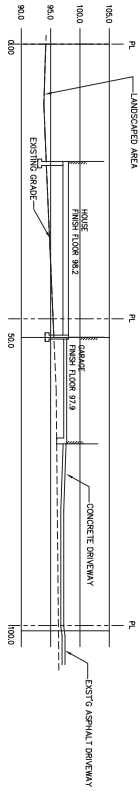
DATE: 06/20/16
DRAWN: KFB
JOB: 160203
SHEET: C1
OF SHEETS: 5



REINFORCED CONCRETE

GENERAL NOTES

1. CONCRETE SHALL CONFORM TO SPECIFICATIONS FOR CONCRETE AGGREGATES ASTM C 33.
2. AGGREGATES SHALL CONFORM TO SPECIFICATIONS FOR CONCRETE AGGREGATES ASTM C 33.
3. EXHAUSTIVE TESTING FOR LABORATORY AGGREGATES FOR STRUCTURAL CONCRETE SHALL BE PERFORMED BY THE CONTRACTOR AT HIS OWN RISK AND AT HIS OWN EXPENSE. ONE PART OF THE LABORATORY TESTS SHALL BE PERFORMED BY THE CONTRACTOR AND ONE PART OF THE LABORATORY TESTS SHALL BE PERFORMED BY THE ENGINEER. THE CONTRACTOR SHALL PROVIDE THE TEST RESULTS TO THE ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE RESULTS OF THE TESTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE RESULTS OF THE TESTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE RESULTS OF THE TESTS.
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NOTES & SECTIONS



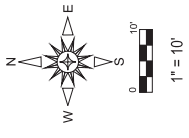
WRIGHT RESIDENCE

2205 SOQUEL WHARF ROAD
CAPITOLA, CA
APN 034-141-34



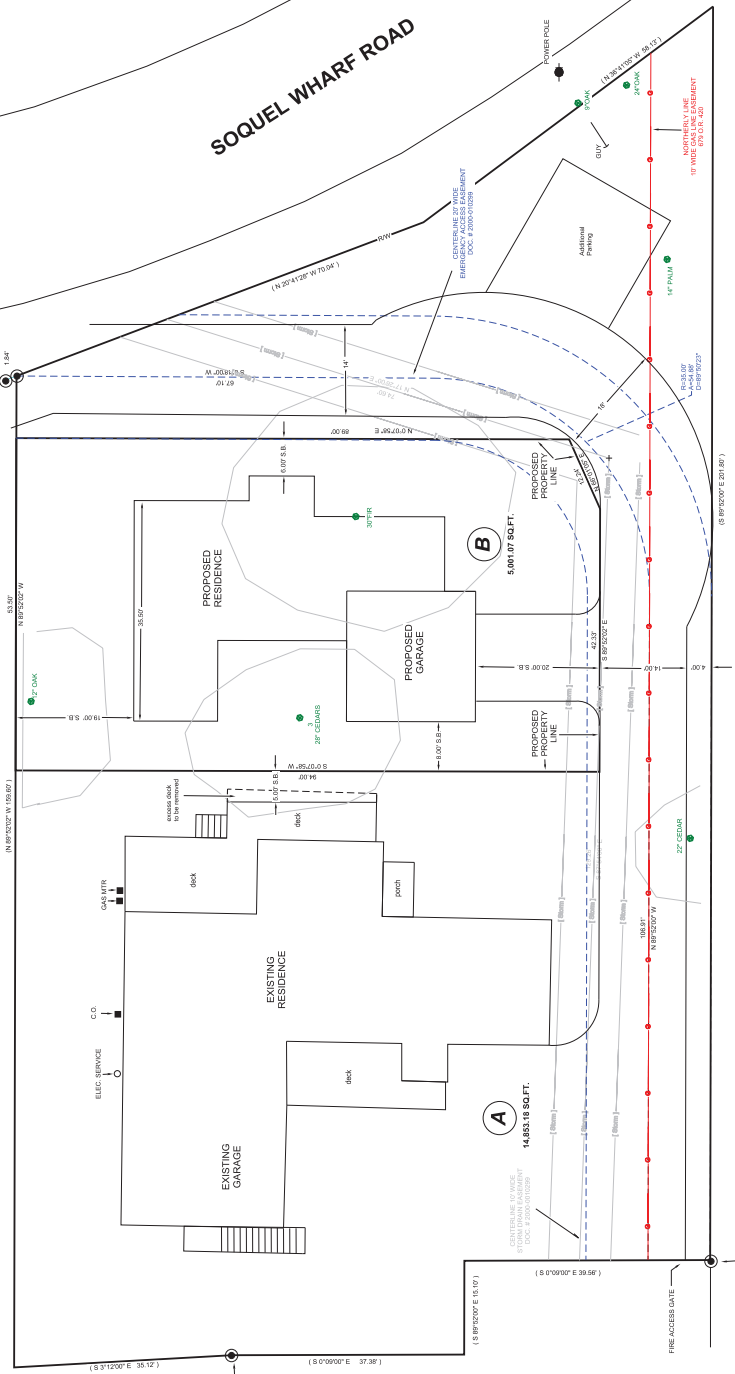
DATE	06/20/16
SCALE	AS SHOWN
DRAWN	RFB
CDS	1602003
SHEET	C3
OF	SHEETS

BAIRD	STRUCTURAL DESIGN, INC.
NEW KOGAN, OR DOT	COLUMBIA
831-661-0594	



PROPOSED

PARCEL **A** 14,853.18 SQ. FT.
 PARCEL **B** 5,001.07 SQ. FT.



SOQUEL WHARF ROAD

TENTATIVE MAP
 for a Minor Land Division
 of the Lands of
CHRISTOPHER L. & VIRGINIA B. WRIGHT
 2205 SOQUEL WHARF ROAD
 Capitola, California 95010
 A.P.N. 034-141-34

RICK THOMPSON
 PROFESSIONAL LAND SURVEYOR
 BEN LOMOND, CALIFORNIA
 831-336-3146

JAN 2016

VOL. 4231 PAGE 290

RECORDING REQUESTED BY
REDDING TITLE COMPANY

AND WHEN RECORDED MAIL TO
Mr. and Mrs. Peter A. Taylor
2225 Wharf Road
Soquel, California
95073

MAIL TAX STATEMENTS TO
Same As Above

APN 034-141-27

065929

OCT 5 1987
San

GRANT DEED

The undersigned grantor(s) declare(s):
Documentary transfer tax is \$ 247.50 pd.
(XXX) computed on full value of property conveyed, or
() computed on full value less value of liens and encumbrances remaining at time of sale
(XXY) Unincorporated area: () City of .. and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
JAMES ROGER HOLMAN and BARBARA D. HOLMAN, His Wife

hereby GRANT(S) to PETER A. TAYLOR AND MELODY D. TAYLOR, HUSBAND AND WIFE AS COMMUNITY PROPERTY

the following described real property in the
County of Santa Cruz State of California

PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

Dated: ...September 29, 1987.

STATE OF CALIFORNIA
COUNTY OF Santa Cruz } ss

On Oct. 1, 1987 before me, the undersigned, a Notary Public in and for said State, personally appeared James Roger Holman Barbara D. Holman personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged that they executed the same

WITNESS my hand and official seal

Signature *M. Gomez*

OFFICIAL SEAL
M. GOMEZ
Notary Public-Calendar
PRINCIPAL OF FEE IN
SANTA CRUZ COUNTY
My Commission Expires May 14 1988

This form furnished by REDDING TITLE COMPANY

File No. 801788-SW

PARCEL pm41

VOL. 4231 PAGE 201

ESCROW NO. 801788 SW

EXHIBIT "A"

The land referred to herein is described as follows:

SITUATED IN THE CITY OF CAPITOLA, COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA AND DESCRIBED AS FOLLOWS:

PARCEL ONE:

PARCEL "B" OF THE PARCEL MAP, IN THE CITY OF CAPITOLA, COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA, PER THE MAP FILED FEBRUARY 21, 1978 IN BOOK 28, PAGE 41 OF PARCEL MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL TWO:

AN EASEMENT FOR DRIVEWAY ACCESS ALONG AN EXISTING ROAD ACROSS THE FOLLOWING DESCRIBED LAND:

BEING A PORTION OF PARCEL B, RECORDED IN VOLUME 28, PAGE 41 OF PARCEL MAPS, IN THE CITY OF CAPITOLA, SANTA CRUZ COUNTY, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL B; THENCE NORTH 20° 49' WEST 1.83 FEET; THENCE NORTH 9° 12' WEST 40.00 FEET; THENCE SOUTH 4° 06' 15" WEST 41.28 FEET; THENCE SOUTH 89° 52' 02" EAST 10 FEET TO THE POINT OF BEGINNING.

PARCEL THREE:

THE RIGHT TO USE THE FOLLOWING DESCRIBED EXISTING DRIVEWAY:

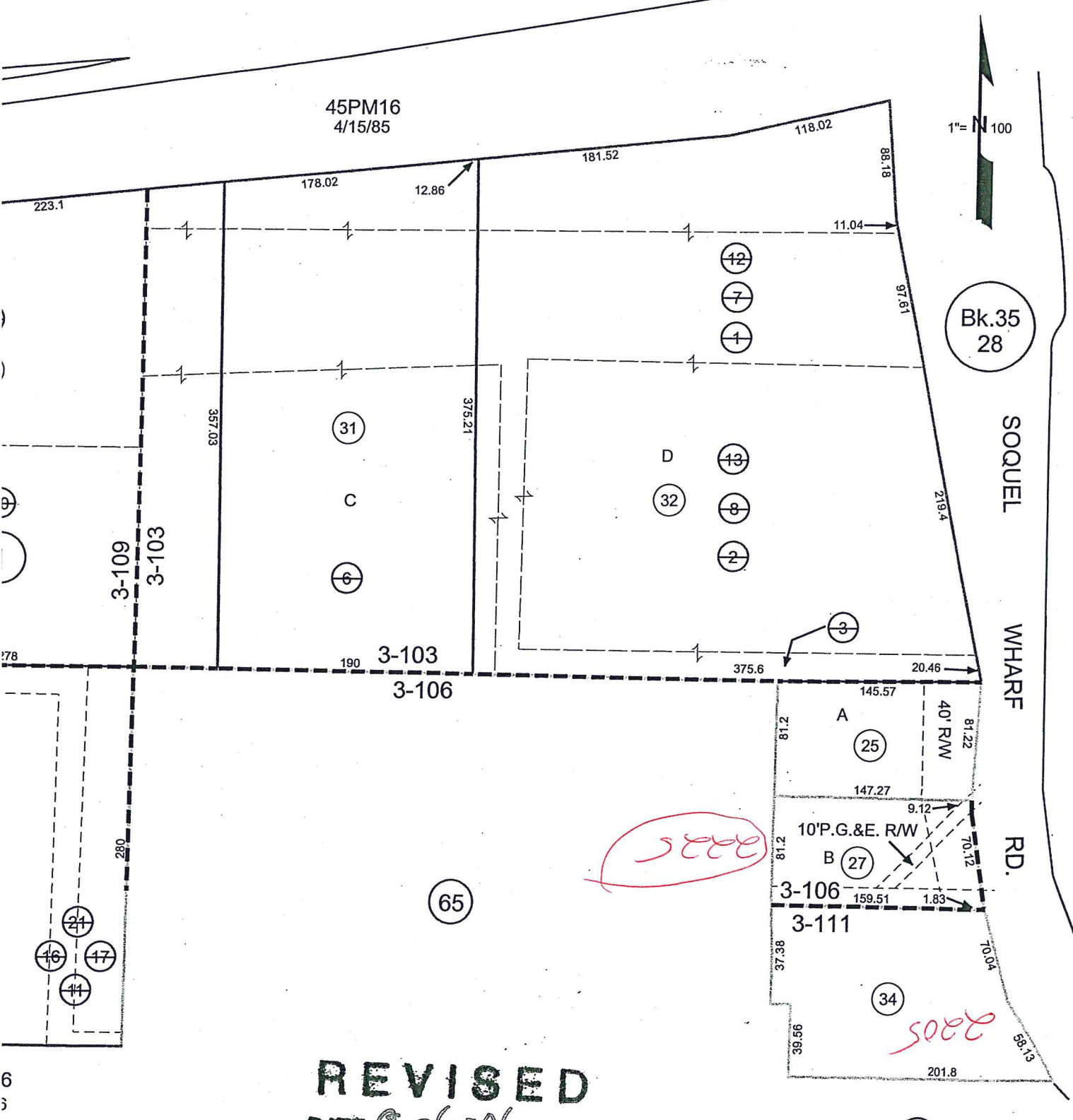
BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL B; THENCE NORTH 5° EAST 65.00 FEET, MORE OR LESS TO SOQUEL WHARF ROAD.

APN: 034-141-27

3-103 3-106
3-109 3-111

45PM16
4/15/85

1" = N 100



REVISED
DATE 2-6-06
OLD MAP NO. 34-14

5000

5000

Board of Directors

Dr. Thomas R. LaHue, President
Dr. Bruce Daniels, Vice-President
Dr. Bruce Jaffe
Carla Christensen
Rachél Lather

Ron Duncan, *General Manager*

January 20, 2017

Christopher Wright
2205 Wharf Road
Capitola, CA 95010

**SUBJECT: Unconditional Water Service Application for Residential Development
at 2205 Wharf Road, APN 034-141-34 (addition of third unit)**

Dear Mr. Wright:

In response to the subject application, the Board of Directors of the Soquel Creek Water District (SqCWD) at their regular meeting of January 17, 2017 voted to grant your apartment project an Unconditional Will Serve Letter based upon your compliance with SqCWD submittal requirements and satisfying Water Demand Offsets.

Please note that this letter is specifically granted for the project as proposed in regards to uses and densities. Any changes in the project that result in a change in use or an increase in water demand will require an application for a modification of this Unconditional Will Serve Letter.

Additionally, final installation of your water service is dependent upon payment of all remaining fees and compliance with all previously identified requirements, including those specified in your Conditional Will Serve Letter. At your convenience, please contact Conservation staff at (831)475-8500, x146 to schedule an on-site verification appointment.

In order to finalize water service to your project, you will need to enter into a written agreement with the District. Please note that the District no longer performs the installation part of your water service, as this is now the applicant's responsibility. You are responsible for hiring a pre-approved Contractor to perform the installation, including obtaining any necessary encroachment permit. The aforementioned agreement will itemize construction inspection costs associated with your Contractor installing the water service, meter drop-in fees, and water capacity fees as applicable. Prior to setting a meter, SqCWD Conservation Staff will need to perform an on-site verification of compliance. Should you have any questions about this process or require assistance, please contact Conservation staff or Engineering staff at (831) 475-8500.

Sincerely,
SOQUEL CREEK WATER DISTRICT



Taj A. Dufour, P.E.
Engineering Manager/Chief Engineer



**CENTRAL
FIRE PROTECTION DISTRICT**
of Santa Cruz County
Fire Prevention Division

930 17th Avenue, Santa Cruz, CA 95062-4125
phone (831) 479-6843 fax (831) 479-6847

September 1, 2016

Katie Cattan
City of Capitola-Planning Department
420 Capitola Avenue, Capitola, CA 95010

Katie,

Plans for a second single family dwelling, to be built on the parcel located at 2205 Wharf Road in Capitola, have recently been proposed to Central Fire District. There is an existing easement through the property for emergency egress/access for the Loma Vista Estates Mobile Home Park located adjacent to the property. I have heard that there are some concerns about the new construction affecting this access/egress. I have seen the proposed building plans and it appears that the construction will not encroach into the driveway or access point to the park.

I have also discussed the situation with the property owner, Christopher Wright. Mister Wright understands that this will be a self-enforcement issue for him and the occupant of the new home. There is an adequate parking area near the existing home. No parking will be allowed in the driveway or in front of the access gate to the adjacent property.

Feel free to contact me with any further concerns or questions.

Mike DeMars – Fire Marshal

Attachment: Letter from Fire Marshal Mike DeMars (1755 : 2205 Wharf Road)



Santa Cruz County Sanitation District

701 OCEAN STREET, SUITE 410, SANTA CRUZ, CA 95060-4073
(831) 454-2180 FAX (831) 454-2089 TDD/TTY- CALL 711

JOHN J. PRESLEIGH, DISTRICT ENGINEER

January 23, 2017

MR. CHRISTOPHER WRIGHT
130 GREYSTONE CT.
SANTA CRUZ, CA 95062

SUBJECT: SEWER AVAILABILITY AND DISTRICT'S CONDITIONS OF SERVICE
FOR THE FOLLOWING PROPOSED DEVELOPMENT

APN: 034-141-34 APPLICATION NO.: N/A

PARCEL ADDRESS: 2205 WHARF ROAD, CAPITOLA

PROJECT DESCRIPTION: DIVIDE THE EXISTING PARCEL, LEAVING THE
EXISTING RESIDENTIAL TRIPLEX ON THE NEW
WESTERN PARCEL AND BUILDING A NEW SINGLE FAMILY
RESIDENCE ON THE NEW EASTERN PARCEL.

Dear Mr. Wright:

We've received and reviewed your inquiry regarding sewer service availability for the subject parcel(s). You have indicated your interest in connecting to the existing private sewer line at the southwestern corner of parcel 034-141-27. You have provided copies (attached) of deeds of easement (recorded 8/10/66) and a map showing those easements for a sewer line through the adjacent mobile home park. You have provided a letter (1/5/17) from the mobile home park board documenting their acknowledgment that the sewer line in question is not being used by the mobile home park. Based on these documents, it appears as if you have the right to use the existing sewer line through the mobile home park. Further, the grant deeds provided do not appear to limit the number of residences on your property that may use the existing private sewer line. Therefore, it appears as if you are not restricted by terms of the easements from adding an addition residence onto your existing parcel. While it is not for us to determine whether your 1966 easements would extend to a second and separate parcel, it nonetheless seems reasonable that the addition of one more residence to the existing private line would not overburden that easement. Finally, there is currently sufficient capacity in the public sewer mains in Trotter Street and Preakness Avenue for the subject development.

Based on this we have concluded that sewer service is available for your proposed additional residence.

No downstream capacity problem or other issue is known at this time. However, downstream sewer requirements will again be studied at time of Planning Permit review, at which time the District reserves the right to add or modify downstream sewer requirements.

This notice is valid for one year from the date of this letter. If, after this time frame, this project has not yet received approval from the Planning Department, then this determination of availability will be considered to have expired and will no longer be valid.

MR. CHRISTOPHER WRIGHT
PAGE 2


Also, for your reference, we have attached a list of common items required during the review of sanitation projects.

Thank you for your inquiry. If you have any questions, please call Robert Hamblton at (831) 454-2160.

Yours truly,

JOHN J. PRESLEIGH
District Engineer

By:


Kent Edler
Sanitation Engineer

BH:tlp/490

Common Items Required During the Review of Sanitation Projects

What to show on the drawings: When you begin the design process, please show:

On the plot/site/utility plan:

1. Location of any **existing** on-site sewer lateral(s), clean-out(s), and connection(s) to existing public sewer on the site (plot) plan.
2. Location of any **proposed** on-site sewer lateral(s), clean-out(s), and connection(s) to existing public sewer on the site (plot) plan.

Place a note, "*Existing*" or "*(E)*", on each existing item that is to be removed.

Place a note, "*To be removed*", on each existing item that is to be removed.

Place a note, "*New*" or "*(N)*", on each item that is to be new.

On a floor plan:

1. All plumbing fixtures both existing and new (label "*(E)*" or "*(N)*") on a floor plan of the entire building. Completely describe all plumbing fixtures according to table T-702.1 of the California Plumbing Code.

(Sanitation District Code sections 7.04.040 and 7.04.430)

Design and Construction Standards

The project sewer design and connection of the project to the Santa Cruz County Sanitation District system will be required to conform to the County of Santa Cruz Design Criteria (CDC) Part 4, Sanitary Sewer Design, June 2006 edition.

Reference for County Design Criteria: <http://www.dpw.co.santa-cruz.ca.us/DESIGNCRITERIA.PDF>

New Connection

If the proposed plans will involve one or more new sewer connections, we must issue a new sewer connection permit for each new connection. The final connection charges can be determined only after the District and, as needed, other Department of Public Works divisions have reviewed and approved the final engineered sewer improvement plans. (Sanitation District Code section 7.04.410)

Tentative, parcel, or final map required

When any new tentative, parcel, or final map is required, please show the following on the improvement plans:

1. All adjacent or impacted roads and easements,
2. All on- and off-site sewer improvements needed to provide service to each lot or unit proposed. The plans must conform to the County's "Design Criteria."

Multi-unit development with a private collector line

It appears as if the development will utilize an existing private collector line traversing a separately owned parcel. That collector line will serve several separate units and parcels, which will be individually and separately owned. Prior to any land split or building permit, the applicant must establish responsibility for maintenance, repair, and, if needed, replacement of that off-site private collector line. Responsibility can take any form found acceptable to the District Engineer. A common form used for this is that of a homeowners' association.

If a home owners' association is formed, please reference this homeowner's association directly on the improvement plans, tentative map, final map, as well as in the Association's recorded CC&R's. Please record those CC&Rs, and provide a copy of the recorded documents, with proof of recordation, to the District prior to the filing of the final map.

Backflow prevention device

A backflow preventive device may be required. While this determination is often made "in the field" at the time of installation, if you are engaging a surveyor, civil engineer, or knowledgeable contractor, there is nothing to prevent you from making that determination while in the design process. (Sanitation District Code section 7.04.100 and 7.04.375.A.4)

Pre-escrow or Pre-transfer Cleanout and Overflow devices

If approved cleanout and overflow devices have not yet been installed, then prior to close of escrow, approved cleanout and overflow devices must be installed at the owners sole cost, and be inspected by the District Inspector. (Sanitation District Code section 7.04.375.A.4.c)

Pre-escrow plumber's inspection of existing lateral

If the development will involve the reuse of an existing sewer lateral for a residential use, if the existing buildings or structures on this parcel that are connected to a sewer main were constructed more than 20 years before the date of sale, and if the private sewer system has not been inspected within the past twenty years, then, before the close of escrow, the property seller shall have the sanitary sewer system inspected and certified by a licensed plumber to be in good working order and free of obstructions and breaks. The testing and any repair shall be the responsibility of the seller, nontransferable to the owner. Repairs shall be made to any damaged or deteriorated pipe, misalignment of pipe segments, leaking pipes, root intrusion, open joints, cracks or breaks, sags, damaged or defective cleanout, inflow and infiltration of extraneous water, older pipe materials that are known to be inadequate, inadequate lift or pump stations, inadequate alarm systems for overflows, and inadequate maintenance of lift stations. You must obtain a sewer repair permit (no charge) from the District and shall have repairs inspected by the District inspector (no charge) prior to backfilling of pipe or structure.

(Sanitation District Code section 7.04.375.A.3 Private Sanitary Sewer System Repair)



STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: MAY 4, 2017
 SUBJECT: **1649 41st Avenue 16-224 034-151-09**

Design Permit to replace the existing convenient store with a new 2,573 sf convenient store and sign permit with variance for two new wall signs at the Shell gas station, located in the CC (Community Commercial) zoning district. This project is not in the Coastal Zone and does not require a Coastal Development Permit.
 Environmental Determination: Categorical Exemption
 Property Owner: Peninsula Petroleum, LLC
 Representative: M. J. Castelo, filed: 12/19/16

APPLICANT PROPOSAL

The applicant is proposing to demolish the existing 966 square feet convenience store and build a new 2,573 square feet convenience store with two new wall signs at the Shell service station at 1649 41st Avenue. A design permit and a sign permit with variance are required for the new convenience store and wall signs located in the CC (Community Commercial) zoning district.

BACKGROUND

The existing Shell service station underwent an extensive remodel in 1993. The site layout was modified to its current configuration with a central food mart, one gas pump canopy on each side of the food mart, and a carwash along the rear property line. The frontage along Capitola Road was reduced from two to one entrance to allow for a larger landscaping area. In 2008, the Shell service station received a building permit for the existing vapor extractor tank along Capitola Road. In 2014, the Planning Commission approved a conditional use permit and design permit for a propane tank, canopy updates, and a sign permit for an updated monument sign. The current proposal is to replace the existing convenience store with a new, larger structure and additional wall signs on the new store.

On January 25, 2017, the Architectural and Site Review Committee reviewed the application.

- City Architect, Frank Phanton, provided positive feedback on the proposed design and did not request any modifications.
- City Landscape Architect position was vacant.
- City Public Works Representative, Danielle Uharriet, provided the applicant with stormwater requirements to be addressed at time of building permit submittal.
- City Building Official, Brian Van Son, provided the applicant with a list of requirements to be addressed at time of building permit submittal.

- City Planner, Katie Cattan, required that the applicant update the site plan to include propane location, a color and materials board, labels for materials on elevations, note that utilities will be underground to nearest utility pole, and site statistics for the lot area and landscape areas.

The applicant updated the plans to include all requested additional information.

DISCUSSION

The applicant is proposing single story, 2,573 square foot convenience store at the Shell station located at the corner of 41st Avenue and Capitola Road. The new building will be located in the same location as the existing but will extend approximately 35 feet closer to Capitola Road. The new building complies with the development standards of the Community Commercial zoning district, as shown in the following table.

CC (Community Commercial) Zoning District

Development Standards		Proposed	
Height: 40 ft		13 ft.	
Front Yard: Landscaped areas of front yards shall be set back fifteen feet in accordance with the 41st Avenue design guidelines.		61 ft. from 41 st Ave. 67 ft. from Capitola Rd. Landscaped area 16 ft wide along Capitola Rd.	
Side and rear yard setbacks may be required through architectural and site approval in order to provide adequate light and air, assure sufficient distance between adjoining uses to minimize any incompatibility and to promote excellence of development; except that where a side or rear yard is provided it shall be at least ten feet wide			
Front yards and corner lot side yards shall not be used for required parking facilities.		Complies	
Parking		Required	Proposed
Retail	1/300 sf	9 spaces	9 spaces
Loading Areas per 17.51		Not applicable	
Landscaping. Five percent of the lot area shall be landscaped to ensure harmony with adjacent development in accordance with architectural and site approval standards		4,920 sq. ft. 14.3%	
Accessory Building		Existing Carwash	
Underground Utilities – required with 25% increase area		Yes	

Sign Permit

The Shell station has two existing wall signs within the recently updated canopy of the Shell logo. The applicant is requesting approval of two additional wall signs on the new convenience stores on the elevations facing 41st Avenue and Capitola Road. The proposed wall signs are approximately two and a half feet high by nine feet wide (23 square feet). The logo signs on canopy are approximately 2 feet high by 2 feet wide (4 feet). Pursuant to 17.57.070.B.1, each business located on a corner shall be permitted two wall signs if the business is not identified on a monument sign. The Shell station has a monument sign on the corner and two existing wall signs. The applicant is requesting a variance for the two additional wall signs to exceed the maximum limitation.

Variance

Pursuant to 17.66.090, the Planning Commission may grant a variance permit when it finds that because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings, the strict application of this title is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification; and that the grant of a variance permit would not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which subject property is situated.

There are no special circumstances applicable to the subject property that would deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classifications. However, there are two examples of gas stations in the vicinity (Chevron and Coast) that have multiple wall signs on the canopy, additional wall signs on the store, and a monument sign along the frontage. The finding could be made that the grant of a variance would not constitute a grant of special privileges inconsistent with the limitation upon other properties in the vicinity and zone in which the Shell is situated. Staff, however, is recommending denial of the sign permit and variance due to lack of special circumstances applicable to the subject property. The applicant submitted a letter with an explanation for the requested variance that is included as Attachment 2.

Design Permit: The new convenience store requires approval of a design permit by the Planning Commission. The proposed design has double glass door entries on the east and west elevations. The exterior finishes include stucco siding with a gray stone wainscot, a red smooth metal band above the windows, large decorative columns on each corner, and large picture windows on three of the four elevations. The existing, recently remodeled canopies above the gas pumps will not be modified within the proposal.

The 41st Avenue Design Guidelines are applicable to the application. The following underlined guidelines are applicable to the development:

Architectural consistency for all sides of the building must be carried out with colors, materials and details. Facades or fronts unrelated to the rest of the building shall not be used.

Materials colors and textures shall be consistent with the building's design theme.

Scale and height of buildings shall relate to setbacks from public right-of-way, and to adjacent developments.

The site shall be designed to integrate the building location with parking and landscaped areas to provide a functional and aesthetic design.

Projects containing many buildings or single large structures shall provide variety in building shape, height, roof lines, and setbacks. Fronts of buildings shall provide variety and interest.

Landscaping shall establish a consistent theme and be planned as an integral part of the project.

The design of the proposed market incorporates the 41st Avenue Design Guidelines. The color scheme and design details within the existing canopy and car wash are incorporated into the new market. The scale of the building is appropriate for the use. The site planning maintains the existing landscaping buffer along the street and the internal circulation while providing an

improved customer experience. The design incorporates doors and windows on the elevations facing the street.

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 new market within an existing gas station on a commercial property. 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 approve the design permit and deny the sign permit and variance for application #16-224, based upon the following findings and conditions:

CONDITIONS

1. The project approval consists of construction of a 2,573 square-foot convenience store. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on May 4, 2017, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans
3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
4. At 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 #16-224 shall be paid in full.
7. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Santa Cruz Water District, and Central Fire Protection District.
8. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
9. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post

Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).

10. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
11. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
12. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official.
§9.12.010B
13. Prior to a project final, all cracked or broken driveway approaches, curb, gutter, or sidewalk shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.
14. 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.
17. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.

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 expansion of the convenience store may be granted a design permit within the CC Zoning District. The proposed structure complies with the development standards of the Community 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 design and determined that the use complies with the applicable provisions of the Zoning Ordinance and therefore 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 convenience store is within an existing commercial development, the Shell Gas Station. No adverse environmental impacts were discovered during project review by either the Planning Department Staff or the Planning Commission.

D. A variance has been denied because there are no special circumstances applicable to subject property, including size, shape, topography, location or surroundings, that the strict application of this title is not found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification;

There are no special circumstances applicable to the subject property that the strict application of the wall sign regulations however application of maximum wall sign allowance would deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classifications. There are two examples of gas stations in the vicinity (Chevron and Coast) that have multiple wall signs on the canopy, additional wall signs on the store, and a monument sign along the frontage.

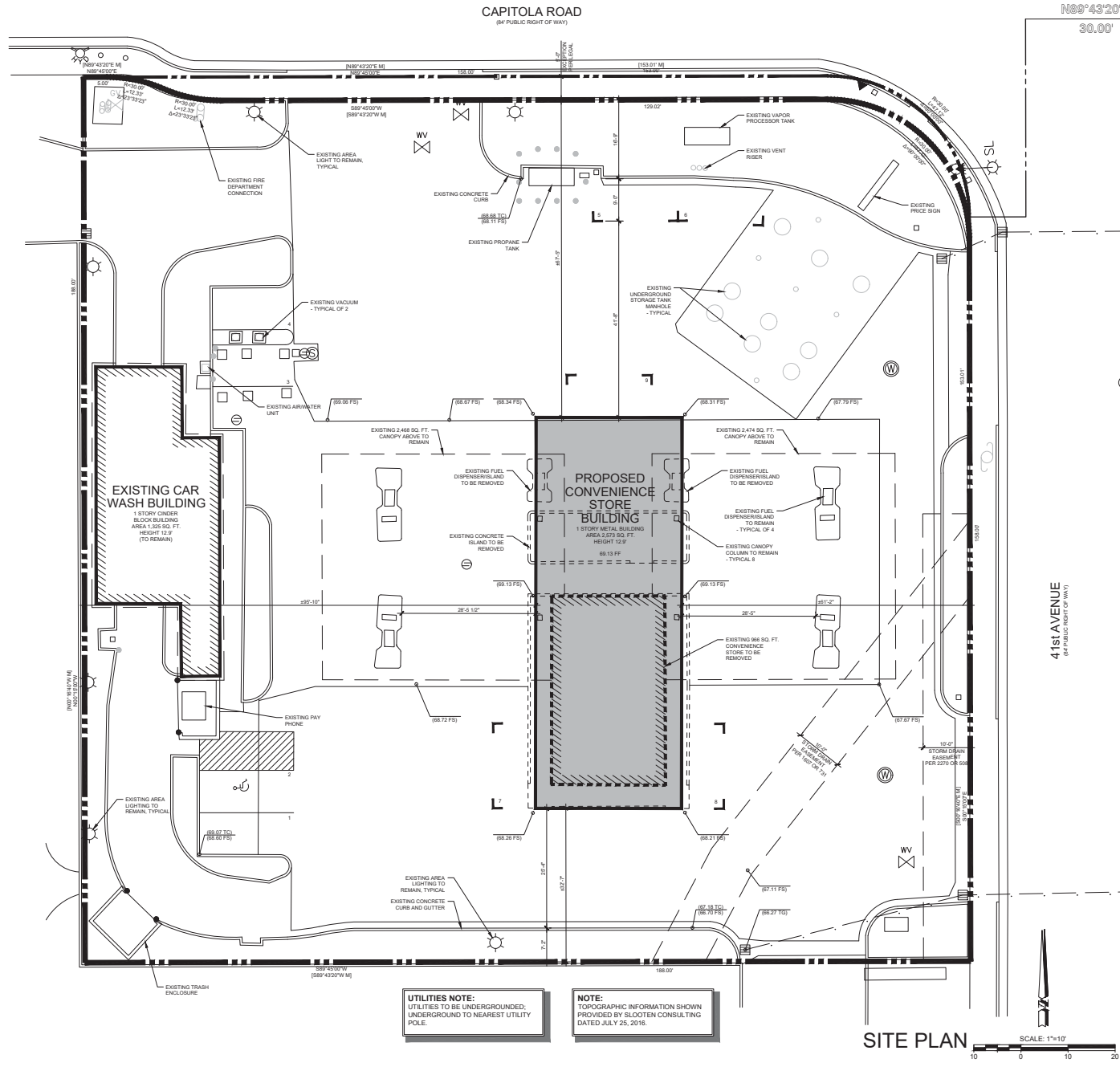
E. The grant of a variance permit would not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which subject property is situated.

The grant of a variance would not constitute a grant of special privileges inconsistent with the limitation upon other properties (Chevron and Coast) in the vicinity and zone in which the Shall is situated.

ATTACHMENTS:

1. 1649 41st Avenue Plans
2. 1649 41st Avenue Variance Request

Prepared By: Katie Herlihy
Senior Planner



UTILITIES NOTE:
UTILITIES TO BE UNDERGROUNDED,
UNDERGROUND TO NEAREST UTILITY
POLE.

NOTE:
TOPOGRAPHIC INFORMATION SHOWN
PROVIDED BY SLOOTEN CONSULTING
DATED JULY 25, 2016.



PROJECT DESCRIPTION

THE PROJECT CONSISTS OF REMOVING AN EXISTING 966 SQUARE FEET CONVENIENCE STORE BUILDING AND CONSTRUCTION OF A NEW 2,573 SQUARE FEET CONVENIENCE STORE.

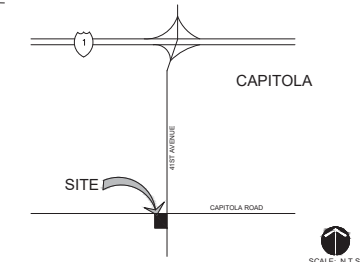
SHEET INDEX

C-1	CONCEPTUAL SITE PLAN
A-1	CONCEPTUAL FLOOR PLAN
A-2	CONCEPTUAL EXTERIOR ELEVATIONS
SGN-1	CONCEPTUAL SIGNAGE PLAN

SITE STATISTICS

SITE ADDRESS: 1649 41st AVENUE, CAPITOLA, CALIFORNIA
 OWNER: PENINSULA PETROLEUM
 1710 INDUSTRIAL ROAD
 SAN CARLOS, CALIFORNIA
 GOVERNING JURISDICTION: CITY OF CAPITOLA
 A.P.N.: 084-151-08-000
 OCCUPANCY: M - BUILDING
 M - FUEL CANOPY
 ZONING: CC - COMMUNITY COMMERCIAL
 GROSS SITE AREA: 34,207 S.F. @ 1.78 ACRES
 AREA SUMMARY: 988 S.F. (EXISTING CONVENIENCE STORE - TO BE REMOVED)
 2,573 S.F. (PROPOSED CONVENIENCE STORE)
 1,325 S.F. (EXISTING CAR WASH - TO REMAIN)
 4,555 S.F. (14.3%) (EXISTING LANDSCAPING AREA TO REMAIN)
 FUEL CANOPY AREA: 4,542 S.F.
 FUELING POSITIONS: 4 DISPENSERS & 8 POSITIONS
 PARKING REQUIRED: 11 SPACES, 1 STALL PER 240 S.F. (2,573 S.F. / 240 = 11 SPACES)
 PARKING PROVIDED: 8 STANDARD SPACES
 1 ACCESSIBLE SPACE
 9 FUELING POSITIONS

VICINITY MAP



BEST MANAGEMENT PRACTICE

- GENERAL CONTRACTOR SHALL COORDINATE WITH THE SANTA CRUZ COUNTY WATER POLLUTION PREVENTION PROGRAM'S CONSTRUCTION BMP PLAN SHEET AND IMPLEMENT APPLICABLE BMPs ON THE PLAN SHEET.
- TEMPORARY EROSION CONTROLS TO STABILIZE ALL DENUDED AREAS UNTIL PERMANENT EROSION CONTROLS ARE ESTABLISHED.
- DELINEATE WITH FIELD MARKERS CLEARING LIMITS, EASEMENTS, SETBACKS, SENSITIVE OR CRITICAL AREAS, BUFFER ZONES, TREES, AND DRAINAGE COURSES.
- CONTRACTOR SHALL PROVIDE CONSTRUCTION OPERATION AND MAINTENANCE OF EROSION AND SEDIMENT CONTROLS SCHEDULES, INCLUDE INSPECTION FREQUENCY.
- CONTRACTOR SHALL PROVIDE METHODS AND SCHEDULE FOR GRADING, EXCAVATION, FILLING, CLEARING OR VEGETATION, AND STORAGE AND DISPOSAL OF EXCAVATED OR CLEARED MATERIAL.
- CONTRACTOR SHALL SPECIFY VEGETATIVE COVER AND MULCH, INCLUDING METHODS AND SCHEDULES FOR PLANTING AND FERTILIZATION.
- CONTRACTOR SHALL PROVIDE TEMPORARY AND/OR PERMANENT IRRIGATION.
- PERFORM CLEARING AND EARTH MOVING ACTIVITIES ONLY DURING DRY WEATHER.
- USE SEDIMENT CONTROLS OR FILTRATION TO REMOVE SEDIMENT WHEN WEATHERING AND OBTAIN ALL NECESSARY PERMITS.
- PROTECT ALL STORM DRAIN INLETS IN VICINITY OF SITE USING SEDIMENT CONTROLS SUCH AS BERMS, FIBER ROLLS, OR FILTERS.
- TRAP SEDIMENT ON-SITE USING BMPs SUCH AS SEDIMENT BASINS OR TRAPS, EARTHEN DIKES OR BERMS, SILT FENCES, CHECK DAMS, SOIL BLANKETS OR MATS, COVERS FOR SOIL STOCK PILES, ETC.
- DIVERT ON-SITE RUNOFF AROUND EXPOSED AREAS, DIVERT OFF-SITE RUNOFF AROUND THE SITE (E.g. STRALES AND DIKES).
- PROTECT ADJACENT PROPERTIES AND UNDISTURBED AREAS FROM CONSTRUCTION IMPACTS USING VEGETATIVE BUFFER STRIPS, SEDIMENT BARRIERS OR FILTERS, DIKES, MULCHING, OR OTHER MEASURES AS APPROPRIATE.
- LIMIT CONSTRUCTION ACCESS ROUTES AND STABILIZE DESIGNATED ACCESS POINTS.
- NO CLEANING, FUELING, OR MAINTAINING VEHICLES ON-SITE, EXCEPT IN A DESIGNATED AREA WHERE WASHWATER IS CONTAINED AND TREATED.
- STORE, HANDLE AND DISPOSE OF CONSTRUCTION MATERIALS/WASTES PROPERLY TO PREVENT CONTACT WITH STORMWATER.
- CONTRACTOR SHALL TRAIN AND PROVIDE INSTRUCTION TO ALL EMPLOYEES/SUBCONTRACTORS REGARDING CONSTRUCTION BMPs.
- CONTROL AND PREVENT THE DISCHARGE OF ALL POTENTIAL POLLUTANTS, INCLUDING PAINTS, OILS, GREASE, FUEL, FERTILIZERS, PESTICIDES, PETROLEUM PRODUCTS, CHEMICALS, WASHWATER OR SEDIMENTS, RUNOFF WATER FROM ARCHITECTURAL COPPER, AND NON-STORMWATER DISCHARGES TO STORM DRAINS AND WATERCOURSES.

LEGEND

(322.00'FS)	DESIGN GRADE BY OTHERS	322.00'FS	PROPOSED GRADE
(322.00'FS)	EXISTING GRADE		
ABBREVIATIONS:		P.O.C.	POINT OF CONNECTION
BFP	BACKFLOW PREVENTER	SD	STORM DRAIN
FF	FIRST FLOOR	SDI	STORM DRAIN DROP INLET
EXST	EXISTING	SDM	STORM DRAIN JUNCTION BOX
FL	FLOW LINE	SS	SANITARY SEWER
FS	FINISH SURFACE	SSM	SANITARY SEWER MANHOLE
GB	GRADE BREAK	TC	TOP OF ISLAND
HP	HIGH POINT	TI	TOP OF GRADE
INV	INVERT		
LF	LINEAL FEET		

CONSULTANTS

REVISIONS

SUBMITTAL DATES
 OWNER: 03/30/2017
 REG. AGENCIES: --
 D.T.B.: --

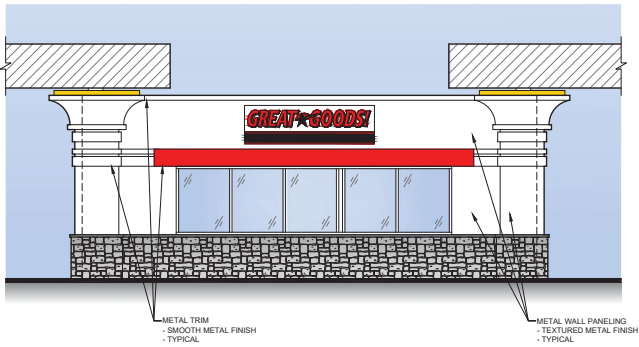
PROJECT NO.: 14-19-005
DRAWN BY: AFS
CHECKED BY: JBB

SHELL SERVICE STATION
 1649 41st AVENUE
 CAPITOLA, CALIFORNIA 95010

SHEET TITLE
 CONCEPTUAL
 SITE PLAN

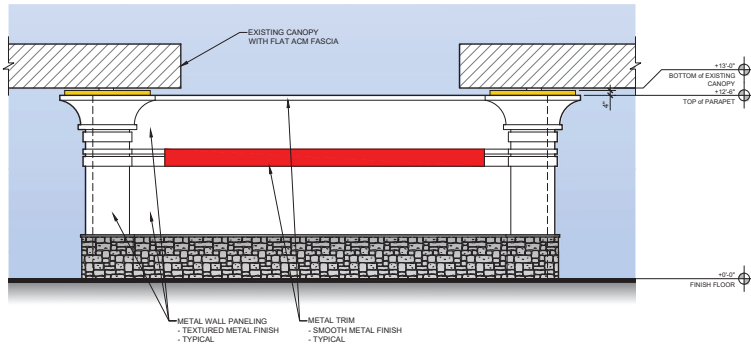
SHEET NO.
 C-1

5.A.1



NORTH ELEVATION

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



SOUTH ELEVATION

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

COLOR SCHEDULE	
	UPPER TRIM COLOR: PRE-FINISHED METAL "SHELL YELLOW" PANTONE SHL003
	WINDOW TRIM COLOR: PRE-FINISHED METAL "SHELL RED" PANTONE SHL005
	FIELD COLOR: PRE-FINISHED METAL "SHELL WASH WHITE" RAL 9016
	LOWER TRIM COLOR: PRE-FINISHED METAL "SHELL GRAY" PANTONE SHL001
	STONE VENEER: EL DORADO STONE COBBLESTONE, "COAL CANYON"

ABBREVIATIONS:
ACM ALUMINUM COMPOSITE MATERIAL (SMOOTH METAL FINISH)

LB
ARCHITECTURE
ENGINEERING

LHB & Associates, Ltd.
807 Pacific Street, Suite 120
San Luis Obispo, CA 93401
PH 805.545.5140
FAX 805.545.5241
WWW.LHBEO.COM

CONSULTANTS

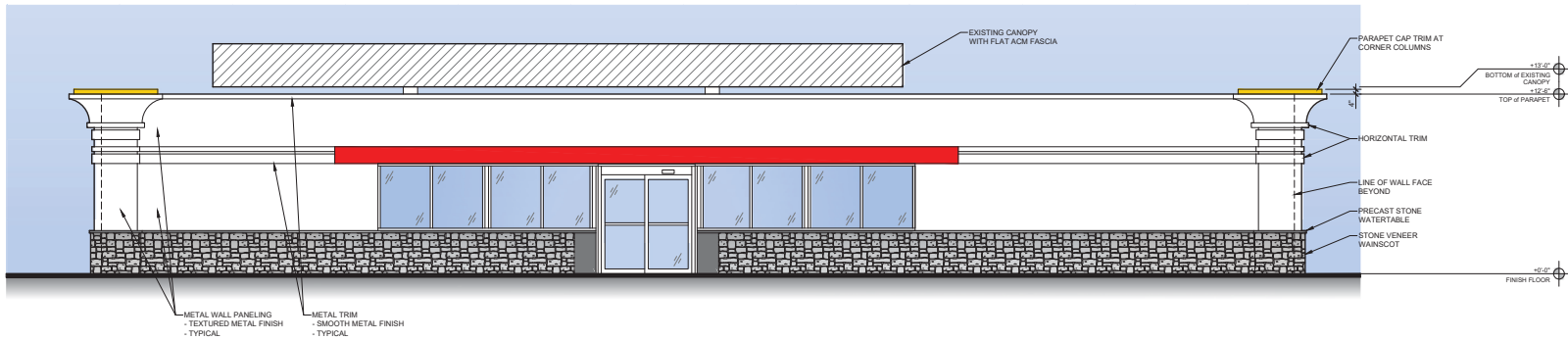
REVISIONS

SUBMITTAL DATES
OWNER: 03/30/2017
REG. AGENCIES: --
O.T.B.: --
PROJECT NO.: 14-19-005
DRAWN BY: AFS
CHECKED BY: JRB



EAST ELEVATION

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



WEST ELEVATION

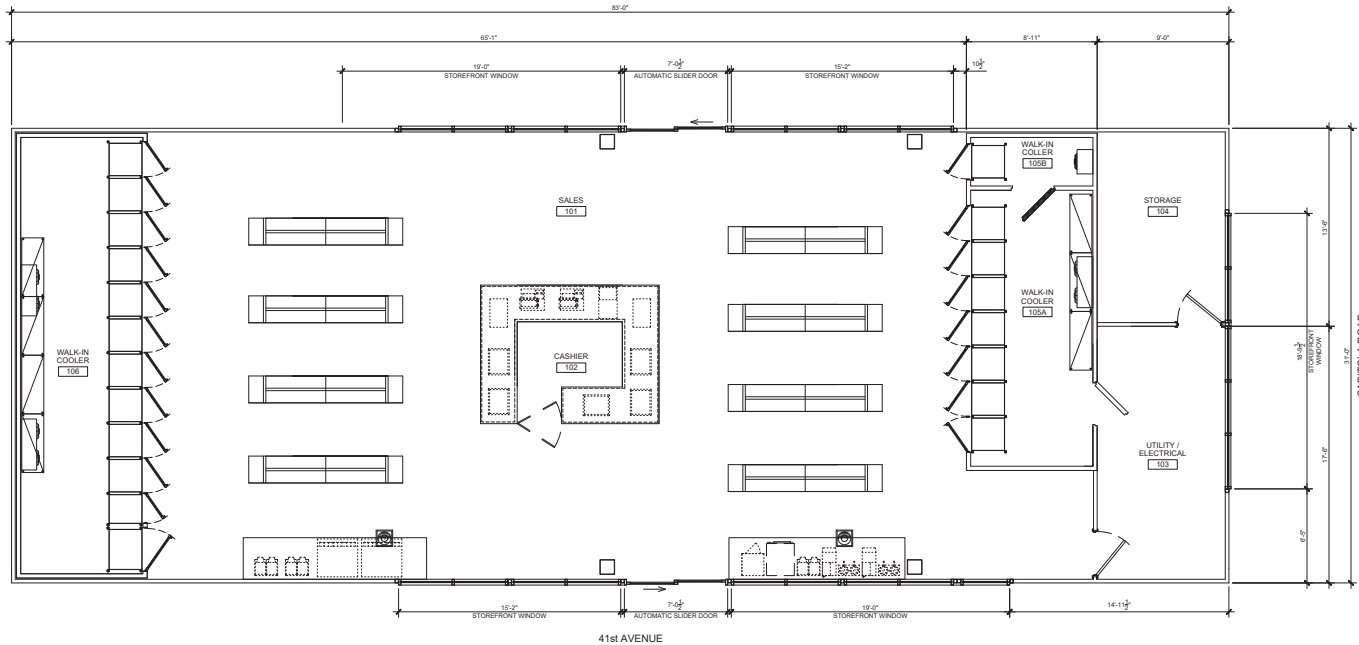
SCALE: 1/4"=1'-0"

SHELL SERVICE STATION
1649 41st AVENUE
CAPITOLA, CALIFORNIA 95010

SHEET TITLE
CONCEPTUAL EXTERIOR ELEVATIONS

SHEET NO.
A-2

S.A.1



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

LB
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ENGINEERING
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San Luis Obispo, CA 93401
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CONSULTANTS

REVISIONS

SUBMITTAL DATES
OWNER: 03/30/2017
REG. AGENCIES: --
O.T.B.: --

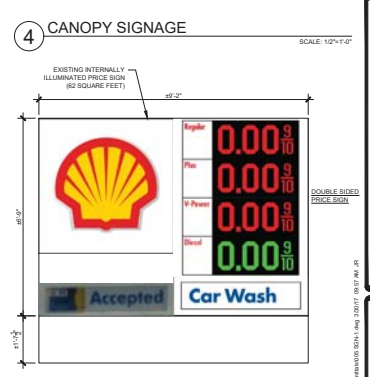
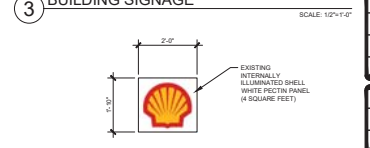
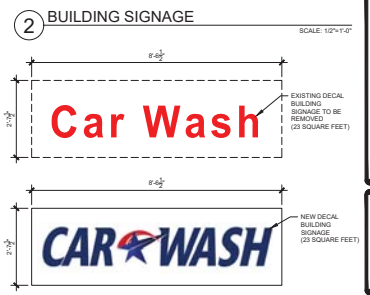
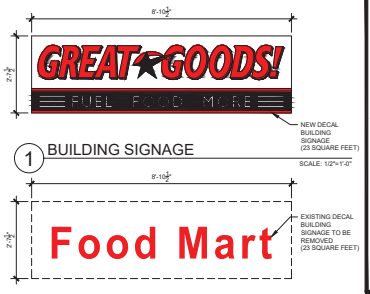
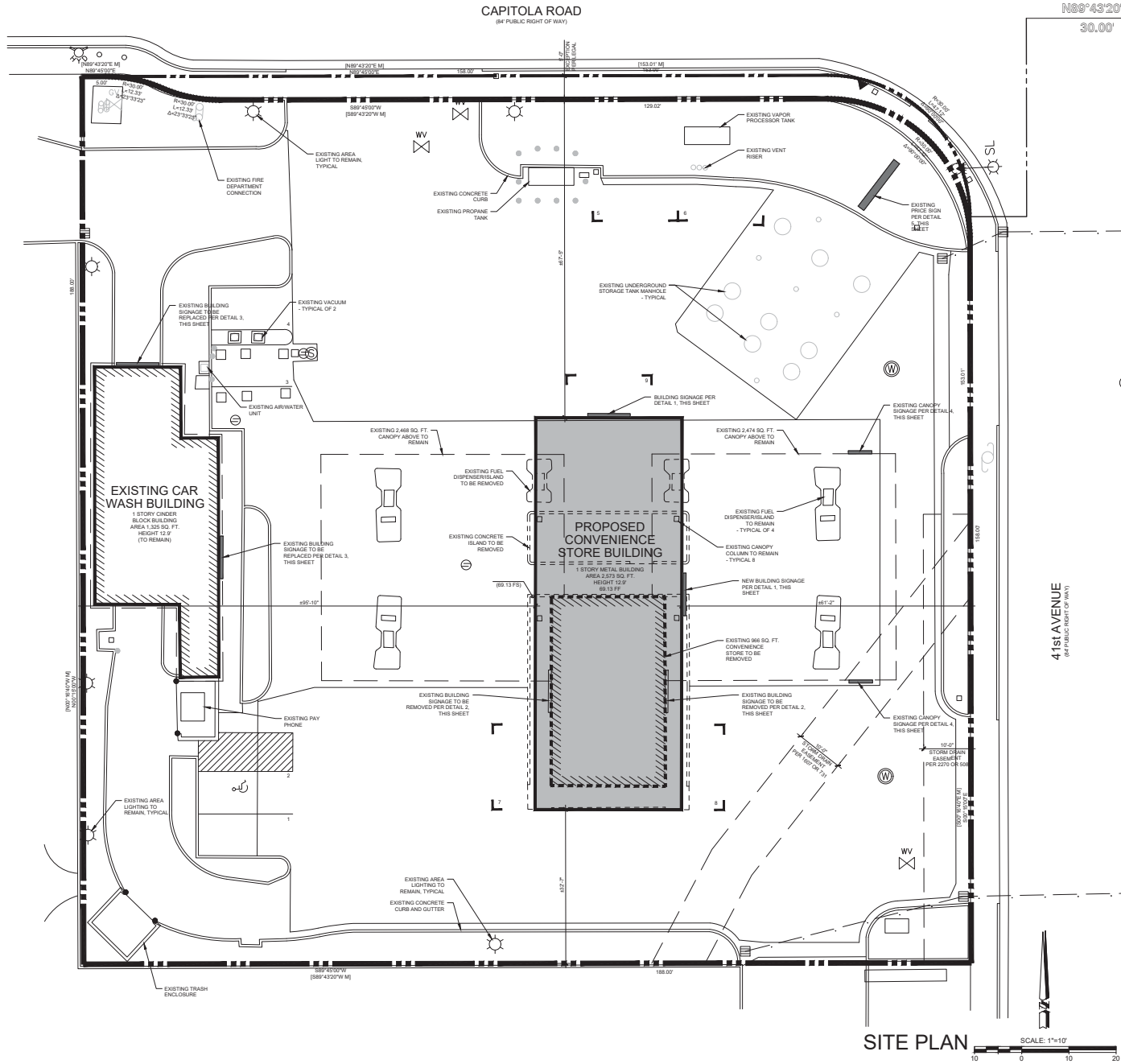
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DRAWN BY: AFS
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SHELL SERVICE STATION
1649 41st AVENUE
CAPITOLA, CALIFORNIA 95010

SHEET TITLE
CONCEPTUAL FLOOR PLAN

SHEET NO.
A-1

5.A.1



TOTAL SIGNAGE SQUARE FEET	
SIGN LOCATION	TOTAL
FREE-STANDING MONUMENT SIGN	62 sq. ft.
ATTACHED CANOPY TEXT/LOGO	8 sq. ft.
ATTACHED BUILDING TEXT/LOGO	92 sq. ft.
TOTAL SIGNAGE:	162 sq. ft.

LB
architecture
engineering

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FX 805.540.5241
www.lhb.com

CONSULTANTS

REVISIONS

SUBMITTAL DATES

OWNER: 03/30/2017

REG. AGENCIES: ..

O.T.B.: ..

PROJECT NO. 14-19-005

DRAWN BY: AFS

CHECKED BY: JBB

SHELL SERVICE STATION

1649 41st AVENUE
CAPITOLA, CALIFORNIA 95010

SHEET TITLE

CONCEPTUAL SIGNAGE PLAN

SHEET NO.

SGN-1

S.A.1



April 21, 2017

City of Capitola-Planning Commission
420 Capitola Ave.
Capitola, CA 95010

Subject: 1649 41st Street Capitola Shell Station Signage

Dear City of Capitola Planning Commission Members:

Peninsula Petroleum LLC is respectfully requesting that the City of Capitola Planning Commission to grant us a variance permit per the Ord. 388 § 20.09, 1975.

We understand that the current Ord. 17.57.070 grants us only two wall signs. Currently there are five wall signs at the site. Hence, we ask that the City recognize: *a) the actual legacy signage b) competitor signage, and c) the multiple businesses on site (fuels, store, and car wash)*. Also, the "Car Wash" signage is simply a generic service identifier. I believe it is also worthy to note that our signage request is typical, both for our industry, and consistent with actual practices for similar business types in Capitola and the surrounding communities.

- As such, since we are not constructing anew on our current Car Wash, the generic service identifier change is simply a "like for like" adjustment that complements our new store image.
- As for the canopy and convenience store, we wish to keep the two small, simple Shell logos on the canopy (consistent with typical industry signage and local competitor signage).
- With respect to the two Great Goods brand wall signs on the convenience store, we ask that you grant an exception so that the other gas station convenience stores in our close vicinity, (most notably Chevron, Coast, and 76 stations) would not have preferential signage and special privilege inconsistent with the proposed limitations set upon our Shell station. In essence, we are requesting equity, fairness and consistency given our unique multi-faceted business---all within the confines of typical/historical practices and good taste.

Thank you for your time and consideration on this subject. We look forward presenting our exciting new project at the Planning Commission meeting on Friday, May 5, 2017 at 7pm.

Sincerely,

MJ. Castelo

Managing Member, Peninsula Petroleum LLC



STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: MAY 4, 2017
 SUBJECT: **212 Monterey Avenue #16-111 035-261-11**

Design Permit application for an exterior remodel and addition of 304 square feet to an existing two-story multi-family residential building, with a variance request to height, located in the CV (Central Village) 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: Joe Mingione

Representative: Derek Van Alstine, filed: 5/31/16

APPLICANT PROPOSAL

The application is for a complete exterior remodel and minor addition to an existing, two-story fourplex. The proposal includes replacing decks and the exterior stairwell on the rear of the building, adding 304-square feet to the southernmost second-story unit, and extending the existing parapet wall higher with a new decorative molding. The proposal includes a variance request to the 27-foot height limit in the CV zone.

BACKGROUND

On June 22, 2016, the Architectural and Site Review Committee reviewed the original application which included a 300-square foot commercial unit on the ground floor. Most of the committee's comments were related to the new commercial unit on the ground floor. Following the hearing, the applicant removed the proposed commercial unit due to the challenges it created. The Architectural and Site Review Committee provided the following comments related to the proposed exterior remodel and residential addition:

Public Works Representative, Danielle Uharriet: directed the applicant to specify the proposed material for the parking spaces and to submit a site drainage plan.

Building Official, Brian Van Son: did not have any major concerns with the proposal.

Local Architect, Frank Phanton: supported the upgraded design to the building.

Landscape Architect, Megan Bishop: had no comments on the landscape design.

City Planner, Ryan Safty: required that the applicant submit revised plans which show existing and proposed parking dimensions, and directed the applicant to either reduce the building height to comply with code limitations or to apply for a variance to the height standards.

Following the Architectural and Site Review Committee hearing, the applicant submitted revised plans which addressed the concerns of the committee and a variance request to height limitations.

ZONING SUMMARY

The following table outlines the zoning code development requirements in the CV (Central Village) Zoning District relative to the application.

CV (Central Village) Zoning District

Coastal			
Is project within Coastal Zone?		YES	
Is project within Coastal Appeal Zone?		YES	
Use			
Is property in Residential Overlay District?		NO	
Existing Use		First Floor	Residential
		Second Floor	Residential
Proposed Use		First Floor	Residential
		Second Floor	Residential
First floor commercial uses shall not be converted to residential uses.		Complies	
Is use on 1st floor Principal Permitted or CUP?		Principal Permitted	
Is use on 2nd floor Principal Permitted or CUP?		Principal Permitted	
Development Standards			
Central Village Design Guidelines apply to all development in the CV district.			
List Applicable Guidelines			Compliance
SITE PLANNING			
A-1: design compatible to surrounding character of the village			YES
B-1: screen trash and storage areas			YES
B-2: parking at rear and screened from front view			YES
D-2: include ADA parking and ramps			YES
D-3: vehicles should not back out onto street			YES
E-1: exterior fixtures should be consistent with overall building design			YES
BUILDING DESIGN			
A-1: design for small-scale, finely detailed, pedestrian-oriented use			YES
A-2: exterior building design on all elevations shall achieve harmony			YES
A-3: building should create design elements which provide a pedestrian feeling			YES
D-1: window design must be incorporated into building design			YES
LANDSCAPING: integral part of project design, and adjacent to parking areas			YES
Building Height	CV Regulation:	Existing:	Proposed:
	27 ft.	31 ft.	33 ft. - VARIANCE
Setbacks		Setbacks are not required within the CV zone.	
Yards			

10% of lot area shall be developed as landscaped open area, at least partially fronting on, and open to, the street. No portion of this landscaped area shall be used for off-street parking.		Required Open Space: 10% of lot or 480 sq. ft.	Proposed Open Space: Approximately 15% of lot.
Lot Coverage		No maximum lot coverage, except sufficient space shall be provide for required parking.	
Parking			
	Required	Proposed	
Apartments / Condominiums 1 covered and 1.5 uncovered for each unit	10 spaces total 4 covered 6 uncovered	Legal non-conforming 5 spaces total – all uncovered	
Current parking requirements must be satisfied with an increase greater than 10% of the existing floor area.		9.8% FAR increase – no additional parking required	
Basement area that exceeds 250 sq. ft. shall be used towards the parking requirement calculations.		250 sq. ft. basement – does not count towards parking	
Underground Utilities – required with 25% increase area	Not required		

DISCUSSION

The subject property is located within the eastern edge of the Central Village zoning district, adjacent to the Depot Hill residential neighborhood. The subject property fronts Monterey Avenue, with vehicular access to the rear off El Camino Medio. Monterey Avenue serves as one of the main thoroughfares into the village and beach area, making the property visually significant. As with Monterey Avenue, the property slopes down to the south; the northern edge of the property is over six feet higher than the southern edge. The property also slopes down to the west, with a 12-foot difference in grade between the front and rear property lines.

The subject property contains an existing, two-story, 3,082 square foot multi-family residence with four units. The first floor and second floor each have two residential units, and below the first floor is existing non-habitable crawl space. The existing building ranges from 20.5 feet to 31 feet in height, with the southwestern corner being the highest point. The zoning code limits building height in the CV zone to 27-feet in height; therefore, the existing building is non-conforming in height.

Design Permit

The applicant is proposing a second-story bedroom addition, a small basement area, and a complete exterior remodel to the existing four-plex. Specifically, the applicant is proposing to add 304 square feet to the back of the southernmost second-story unit. The proposed upper level addition would be located at the same three-foot 10-inch side setback as the existing building and would not be visible from Monterey Avenue. Additionally, the applicant is proposing to reconfigure 250 square feet of the existing non-habitable bottom-floor crawl space into a non-habitable basement area. The proposed reconfigured basement area would be under 251 square feet and thus would not count towards the total square footage calculation and would not affect required on-site parking (§17.21.100).

The applicant is proposing to upgrade the front of the building (facing Monterey Avenue) by replacing the existing vinyl windows with aluminum clad windows with false balconies, metal railings, and new tile roof overhangs over two of the second-story windows. The applicant proposes adding two feet of cornice molding along the entire roof line, as well as a matching

stucco molding band between the crawl space and first-floor to break up the massing of the building. Along the crawl space wall, the applicant is proposing a bollard architectural feature to extend below the false balcony to the north, two new screened decorative openings, and a new window along the proposed basement area. In addition, the applicant is proposing a 65-square foot tile accent piece centered on the front face of the building.

Along the back of the building, the applicant is proposing to remove and replace the existing deck, porch, and exterior stairwell. Due to the significant grade change, the rear parking area is level with the second-story units. The existing stairs and walkway area, used to access the bottom floor units from the parking lot, would be removed and replaced. The new stairs and walkway would introduce metal railings and be covered by a gabled clay-tile roof, matching the tile roof overhangs and metal railings of the false balconies on the front. The applicant is proposing new windows and doors along the rear of the building, as well as new windows and a functioning balcony near the addition area on the south-side second floor. The proposed design changes to the existing building would add architectural detail to make the building more visually appealing and compatible with the surrounding area.

Parking

The existing development at 212 Monterey Avenue has five uncovered parking spaces on-site, two of which are undersized. The four-unit residential building is required by code to have 10 on-site spaces, four of which must be covered. Per the code, current parking standards must be met for residential structures which increase their floor area by more than 10 percent. The proposed 304 square foot addition would constitute a 9.8 percent floor area addition; therefore, current parking standards do not need to be met. The applicant is proposing to reconfigure the parking area to provide five uncovered parking spaces: three full-size and two compact.

Landscaping

The applicant is proposing to upgrade and add to the rear landscaping area. The existing property has a small landscaped area along the rear of the property, with shrubs lining the parking spaces, and three existing olive trees. The applicant is proposing to remove one of the olive trees, preserve the other two, and plant three new Japanese Maple trees, several different types of shrubs, perennials, and groundcovers along the rear of the property and below the second-floor decks and walkway. The proposed landscaping would comply with the minimum 10 percent lot area code requirement.

VARIANCE

The applicant is requesting a variance to the maximum building height within the CV zoning district. Pursuant to section 17.66.090 of the municipal code, the Planning Commission, based on the evidence submitted at the hearing, may grant a variance permit when it finds a special circumstance applicable to the subject property and where strict application of the code would deprive the property owner of privileges enjoyed by others in the vicinity.

The applicant is requesting a variance to the maximum 27-foot height limit to add an architectural element to the roof line in order to enhance the overall design of the building. Specifically, the applicant is proposing to install two feet of stucco cornice molding to the existing parapet roof. The proposed cornice addition would increase the existing over-height roof line by an additional two-feet. Section 17.81.070 of the Capitola Municipal Code allows exceptions to height limitations for roof structures used to house equipment required to operate the building, however the proposed cornice addition would not fall under this exception because it is not an equipment enclosure. The applicant states in the variance request that the variance would not constitute a special privilege due to the building already being over-height, the

proposed roof design matches the style of the overall design, and that no additional shadow will be cast on neighboring properties (Attachment 2).

Attachment 3 highlights the area of the proposed cornice molding that would not comply with the 27-foot height requirement. Due to the sloping property, the building height varies throughout the property. Roughly one-half of the proposed finished building would comply with height requirements (north-eastern side), while the other half would extend beyond the 27-foot height requirement (south-western side). The new bedroom addition on the south-eastern corner would comply with the 27-foot height limit.

Although the proposed two-foot stucco cornice extension to the existing parapet roof would be a nice design upgrade to the existing building, staff is unable to make findings to support the variance request. The existing building is already over-height. Neighboring properties along Monterey Avenue meet height limits while being similarly located on sloping topography. A variance to further extend beyond the height limit would constitute a special privilege inconsistent with what was allowed on surrounding properties. The applicant can remove the proposed cornice addition on the roof top, or incorporate the cornice molding into the existing building instead of extending above the existing parapet, and thus remove the variance request. The Planning Commission may condition the project, requiring that plans be revised at time of building permit to restrict the building from being raised above the existing building height (Condition #6).

CEQA

Section 15301(e) of the CEQA Guidelines exempts additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the existing floor area. This project involves the addition of 304 square feet to an existing two-story fourplex in the CV (Central Village) zoning district. No adverse environmental impacts were discovered during review of the proposed project.

RECOMMENDATION

Staff recommends the Planning Commission review the application and **approve** project application #16-111, with the denial of the height variance, based on the findings and conditions.

CONDITIONS OF APPROVAL

1. The project approval is for an exterior remodel and addition to the existing, two-story fourplex at 212 Monterey Avenue. The project consists of a complete exterior remodel, 304 square foot bedroom addition on the second floor, and deck and stair replacements at the rear of the building. There is no maximum lot coverage or setback requirements in the CV (Central Village) zoning district as long as parking and landscaping standards are met. The 304-square foot addition constitutes a 9.8% FAR increase and therefore current parking standards do not need to be brought into compliance. The project complies with the landscaping requirement. The existing building exceeds the 27-foot height limit in the CV zoning district. The project includes denial of a variance to further extend the non-conforming building height. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on May 4th, 2017, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be

consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans.

3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
4. At the time of submittal for building permit review, Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP) shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP).
5. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
6. The variance request to maximum building height was denied by Planning Commission at the May 4th, 2017 hearing. At time of building permit submittal, the plans must show that the building will not exceed the existing height of 24-foot 8-inches on the northern edge and 31-feet two-inches on the southern edge.
7. Prior to issuance of building permit, a final landscape plan shall be submitted and approved by the Community Development Department. Landscape plans shall show dripline irrigation and 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 #16-111 shall be paid in full.
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 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.
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 shielded and placed out of public view on non-collection days.

FINDINGS

- A. **The application, subject to the conditions imposed, secures the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The addition and remodel project, with the conditions imposed, secures the purpose of the Zoning Ordinance, General Plan, and Local Coastal Plan.
- B. **The application will maintain the character and integrity of the neighborhood.**
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the application for an exterior remodel and bedroom addition to an existing two-story fourplex. The proposed remodel and addition, with the conditions imposed, will maintain the character and integrity of the Central Village.
- 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(e) of the CEQA Guidelines exempts additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the existing floor area. This project involves the addition of 304 square feet to an existing two-story fourplex in 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, do not exist on the site and the strict application of this title is not found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification;** There are not special circumstances applicable to the property that deprive the subject property of privileges enjoyed by others. Although the property is located on slopping topography, this is not a special circumstance only applicable to the subject property. The existing building is over-height. The neighboring properties on both sides of Monterey Avenue are also located on slopping topography and must meet height limitations for the CV (Central Village) zone.
- E. **The grant of a variance would 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.** Although the property is located on a sloping lot, a variance to height would constitute the grant of a special privilege. The neighboring properties on both sides of Monterey Avenue are also located on slopping topography and must meet height limitations for the CV (Central Village) zone. Additionally, the building is already over-height. This request would further the existing non-conforming height.

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 212 Monterey Avenue. The home is located adjacent to a public sidewalk which connects to the coast, but the project will not affect the accessibility of the sidewalk.

(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 Monterey Avenue. The home is located adjacent to a public sidewalk which connects to the coast, but the project will not affect the accessibility of the sidewalk.

(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 Monterey Avenue. The project will not block or impede the ability of the public to get to or along the tidelands, public recreation areas, or views to the shoreline.

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

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

(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 sloping lot, which vehicular access to the rear off El Camino Medio.

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 the remodel and addition of four residential dwelling units 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 the remodel and addition of four residential dwelling units 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 the remodel and addition of four residential dwelling units 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 remodel and addition to an existing fourplex multi-family residential building. The subject property contains 5 on-site parking spaces, which does not meet code requirements. However, due to the addition area being under 10% of the existing floor area, current parking standards do not need to be met.

(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 to height has been denied.

(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 remodel and minor addition to a four unit, multi-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 are required at time of building permit submittal. 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 Central Village (CV) 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.

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

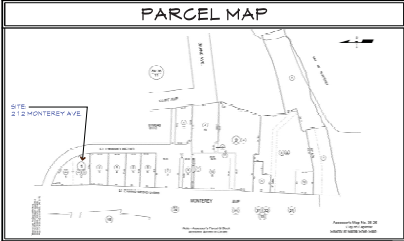
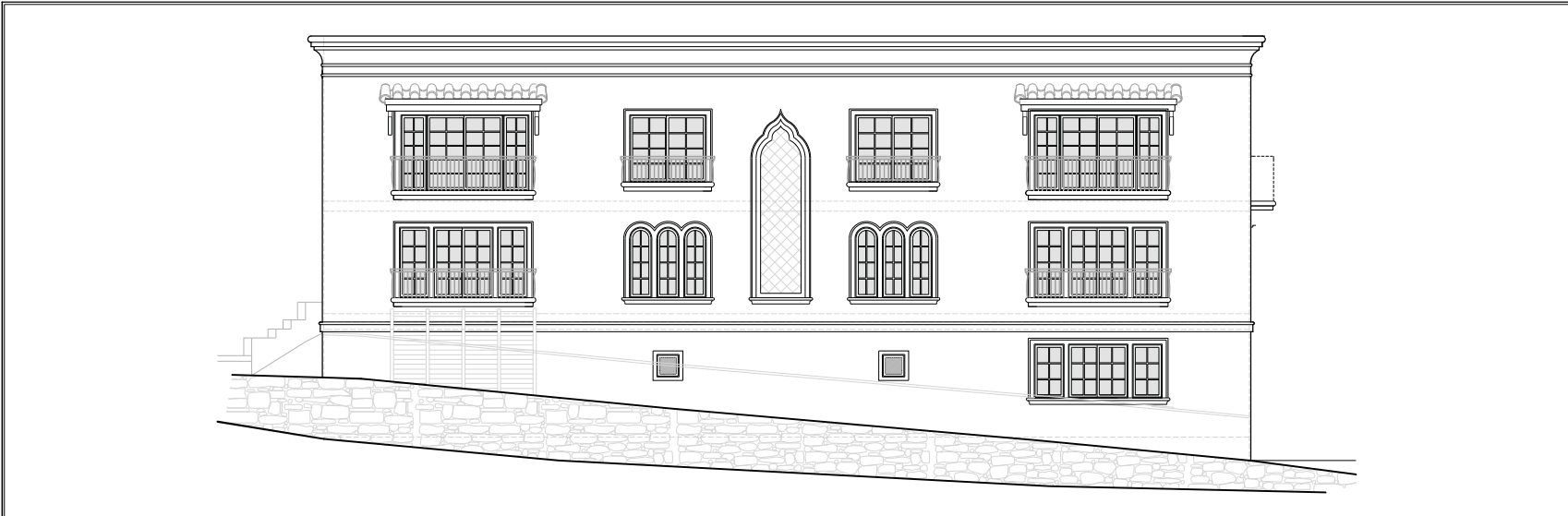
The project site is located within the Village Permit Area; however, the project complies with the zoning code for on-site parking.

ATTACHMENTS:

1. Project Plans
2. Variance Request
3. Proposed Roof Height Graphic

Prepared By: Ryan Safty
Assistant Planner

CAPITOLA VISTAS



PROJECT DATA		
PARKING	EXISTING	PROPOSED
	(3) 4' X 10' SPACES (2) 4' X 14'-6" SPACES	(3) 4' X 10' SPACES (2) 8' X 16' COMPACT SPACES
TOTAL	5 SPACES	5 SPACES
IMPERVIOUS AREA:	SEE SHEET A2 FOR CALCULATIONS	
PARCEL SIZE:	4,804 SQ. FT.	
SQ. FOOTAGES		
EXISTING 4 UNIT RESIDENTIAL BUILDING:		
EXISTING LOWER LEVEL	1,556 SQ. FT.	
EXISTING UPPER LEVEL	1,526 SQ. FT.	
TOTAL EXISTING	3,082 SQ. FT.	
PROPOSED UPPER LEVEL	304 SQ. FT.	
BECKSON ADDITION	304 SQ. FT.	
COVERED OR UNCOVERED UPPER FLOOR DECKS (E) PORCHES (I) COVERED EXTERIOR OVERLAP		
PORTION OF (E) COVERED UPPER FLOOR BALCONY TO REMAIN	149 SQ. FT.	
PORTION OF (E) COVERED UPPER FLOOR BALCONY TO BE REMOVED	[-1150 SQ. FT.]	
(E) COVERED ENTRY STAIRS (I) RAMP TO BE REMOVED	[-105 SQ. FT.]	
(N) COVERED ENTRY STAIRS (I) RAMP	120 SQ. FT.	
(E) UNCOVERED DECKS TO BE REMOVED	[-362 SQ. FT.]	
(N) UNCOVERED DECKS	356 SQ. FT.	
(N) SOUTH SIDE UPPER LEVEL OVERHANGS GREATER THAN 18"	3 SQ. FT.	

BUILDING INFORMATION
PROJECT DESCRIPTION REMODEL & ADDITION TO AN EXISTING 2 STORY RESIDENTIAL FOUR-FLEX UNIT REMODEL TO INCLUDE NEW CLAY TILE ENTRY PORCH ROOF STRUCTURE, NEW WINDOWS & DOORS, NEW GORGE TRIM, NEW STUCCO HOLDINGS, NEW THROUGH IRON RAILINGS AT NEW TAILORED BALCONIES & NEW TILE ACCENTS. NEW 304 SQ FT UPPER LEVEL BEDROOM ADDITION. NEW DECK TO REPLACE EXISTING.
PROJECT ADDRESS 212 MONTEREY AVENUE CAPITOLA, CA 95010
PARCEL NUMBER 059261111
ZONING DESIGNATION CV CENTRAL VILLAGE
OCCUPANCY CLASSIFICATION R2
CONSTRUCTION TYPE V-B

CONTACTS
OWNER JOSE EBAN NINO INC 215 3RD AVENUE SANTA CRUZ, CA 95062 (831) 742-2810 FAX: (831) 742-2810
PROJECT DESIGNER DEREK VAN ALSTINE RESIDENTIAL DESIGN INC. 1535 SEABRIGHT AVENUE #200 SANTA CRUZ, CA 95062 PH: (831) 426-8442 FAX: (831) 426-8448 dvan@vrdai.com
STRUCTURAL ENGINEER STEPHANO ENGINEERS 1835 SEABRIGHT AVENUE #200 SANTA CRUZ, CA 95062 PH: (831) 426-8442 FAX: (831) 426-8448 info@stephanoengineers.com
SCHEMATIC DESIGNER NICKI BOLD CONSULTING 1100 MAIN STREET SUITE A WATSONVILLE, CA 95070 PH: (831) 724-5669 www.sckalidsgn.com
LANDSCAPE ARCHITECT ELLEN COOPER & ASSOCIATES ELLEN COOPER 612 PANDORA STREET SANTA CRUZ, CA 95062 PH: (831) 426-8448 FAX: (831) 426-8448
GENERAL CONTRACTOR INDA BILLEN PH: (831) 344-1038 info@indastgenbouw.com
SUBMITTAL REVIEW ENGINEER NICOLE BRATTON 845 WOOD COURT SANTA CRUZ, CA 95062 PH: (831) 476-7440

DRAWING INDEX
BUILDING DESIGN
SHEET T-1: TITLE SHEET
SURVEY
SHEET A-1: SITE PLAN, GRADE LEVEL FLOOR PLAN
SHEET A-2: EXISTING & PROPOSED IMPERVIOUS PLANS
SHEET A-3: FLOOR PLANS
SHEET A-4: EXISTING & PROPOSED ROOF PLANS
SHEET A-5: EXISTING & PROPOSED EXTERIOR ELEVATIONS
SHEET A-6: EXISTING & PROPOSED EXTERIOR ELEVATIONS
SHEET A-7: EXISTING & PROPOSED EXTERIOR ELEVATIONS
SHEET L-1: PLANTING PLAN

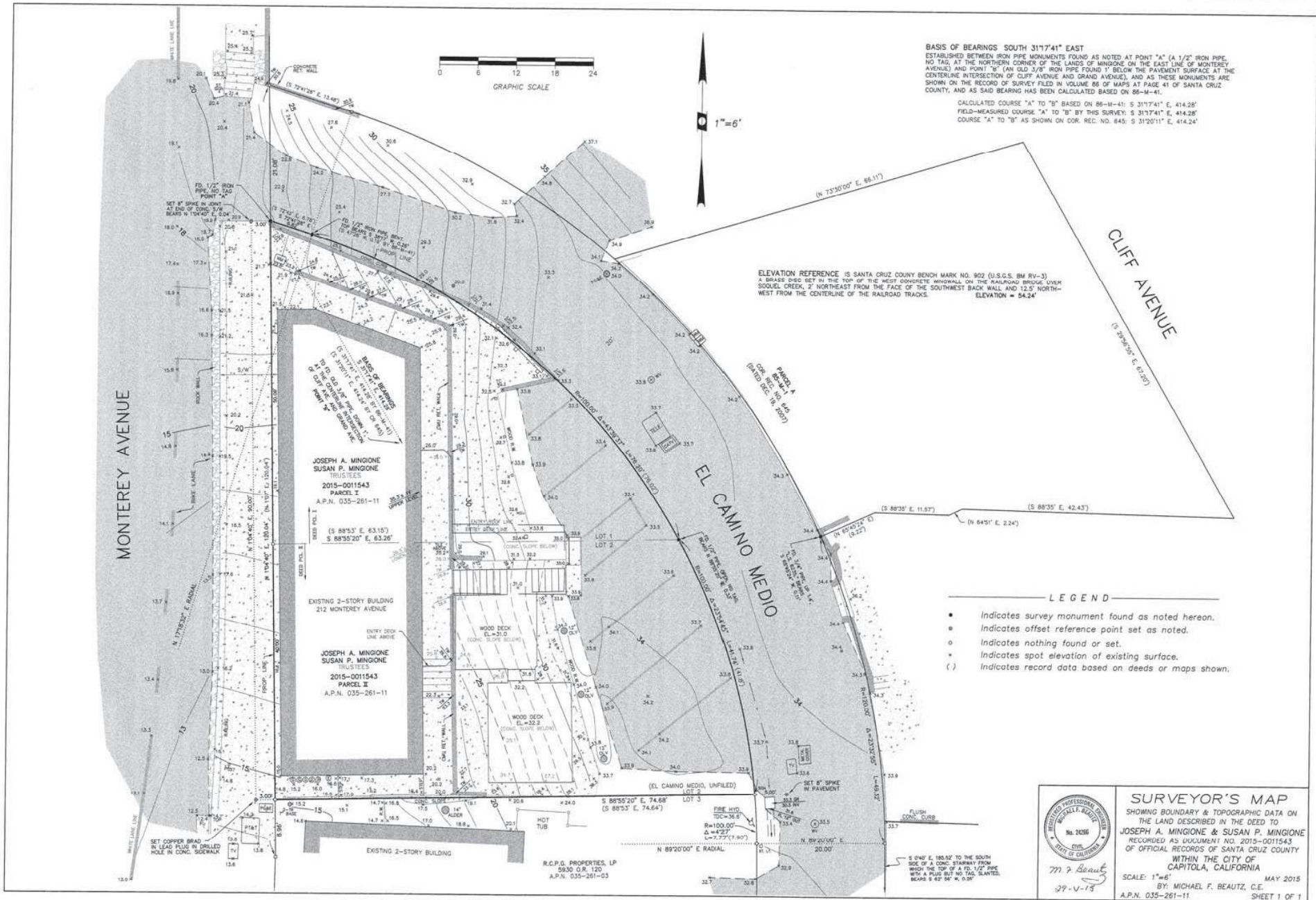
DEREK VAN ALSTINE
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DVRD
DEREK VAN ALSTINE
RESIDENTIAL DESIGN INC.

CAPITOLA VISTAS
212 MONTEREY AVENUE
CAPITOLA, CA 95010

095-261-111
ISSUE DESCRIPTION
SCHEMATIC DESIGN
DESIGN DEVELOPMENT
PLANNING SUBMITTAL 2/24/18
BUILDING SUBMITTAL
REVISIONS:
4/3/17
TITLE SHEET
T 1

Attachment: Project Plans (1837 : 212 Monterey Avenue)



Attachment: Project Plans (1837 : 212 Monterey Avenue)

DEREK VAN ALSTINE
RESIDENTIAL DESIGN INC.
155 SEABRIGHT AVENUE SUITE 200, SAINT CRUZ, CALIFORNIA
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DVRD
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CAPITOLA VISTAS
212 MONTEREY AVENUE
CAPITOLA, CA 95010

095-261-111

ISSUE DESCRIPTION

SCHEMATIC DESIGN

DESIGN DEVELOPMENT

PLANNING SUBMITTAL

2/24/18

BUILDING SUBMITTAL

11/13/18

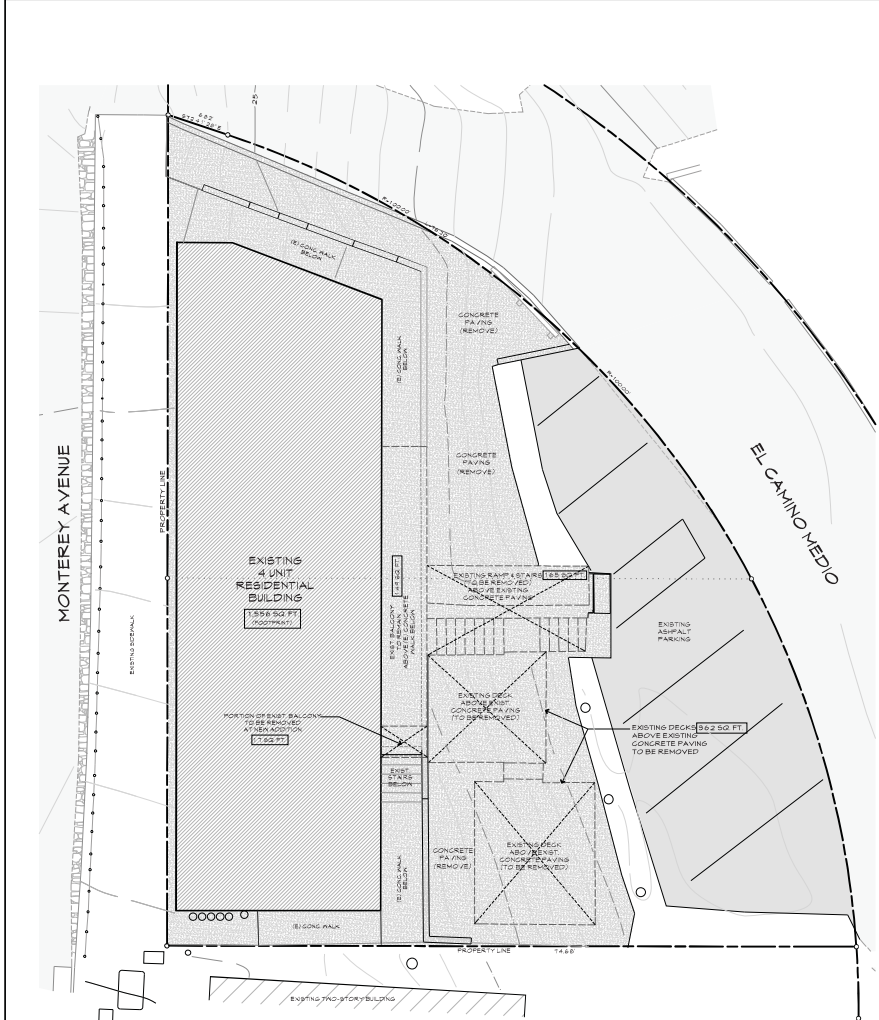
REVISIONS

4/3/17

PERVIOUS PLAN

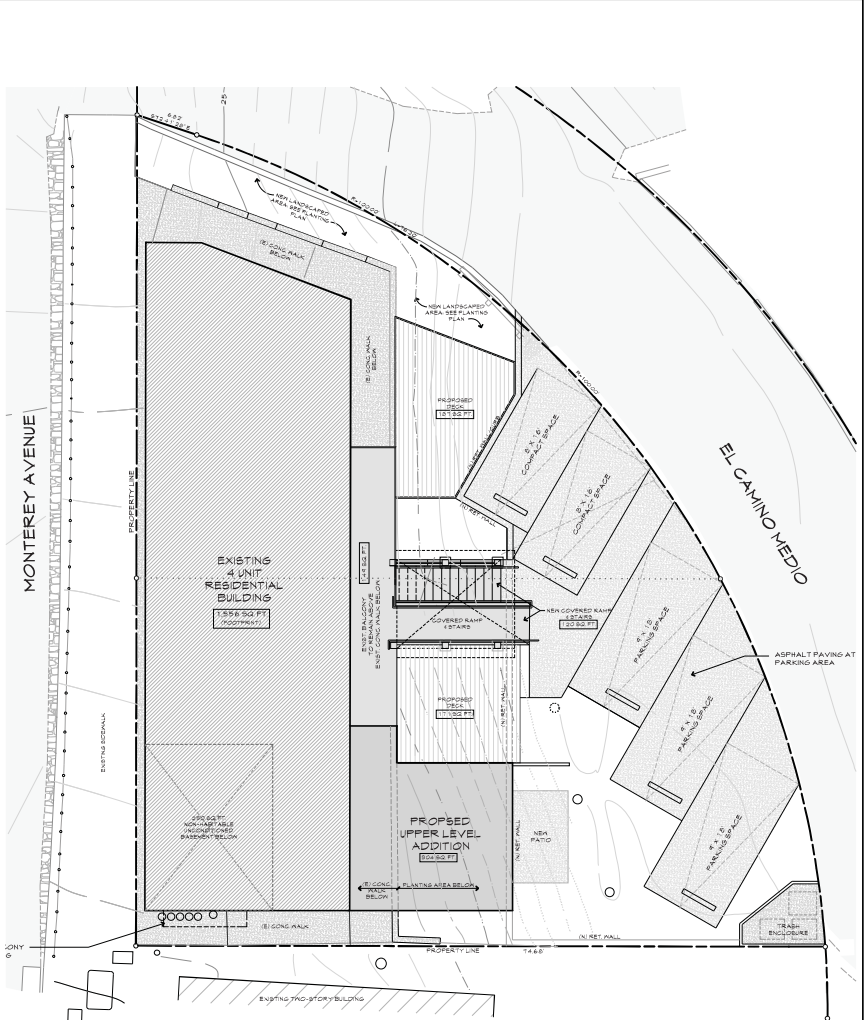
A2

Attachment: Project Plans (1837 : 212 Monterey Avenue)



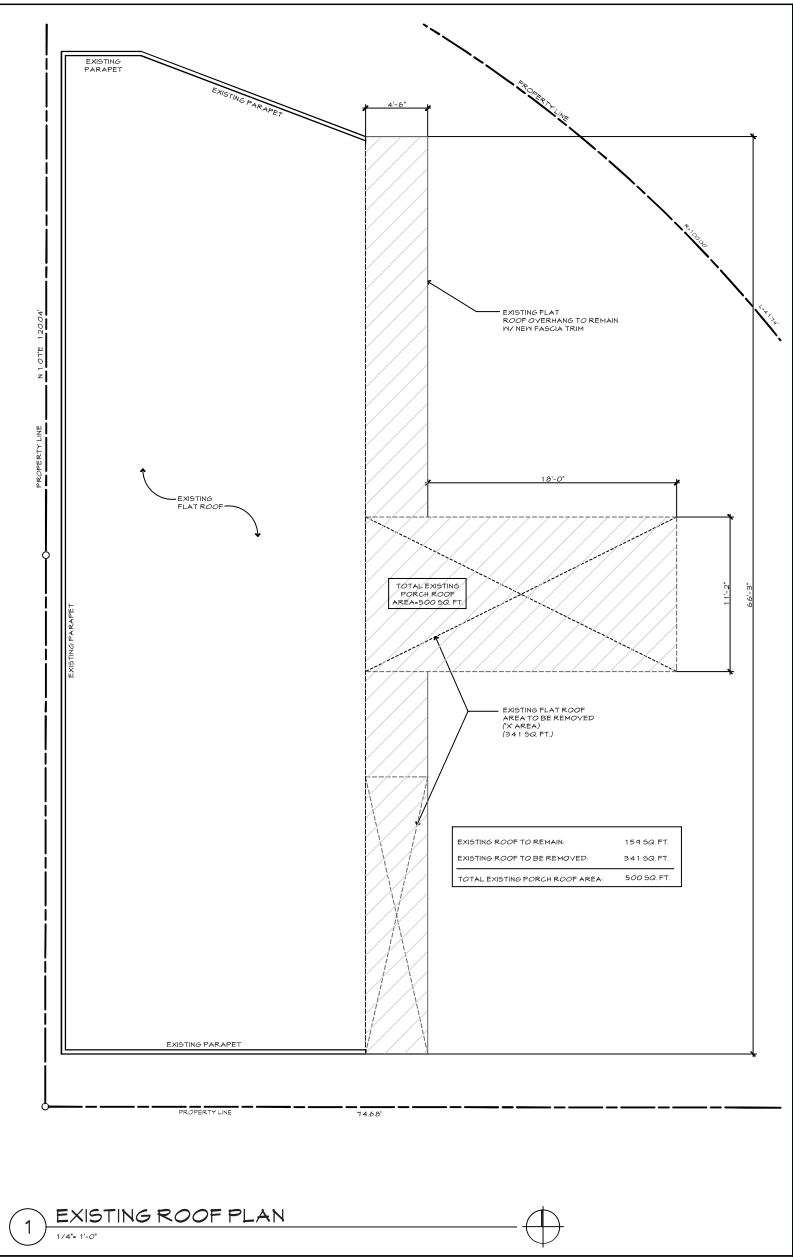
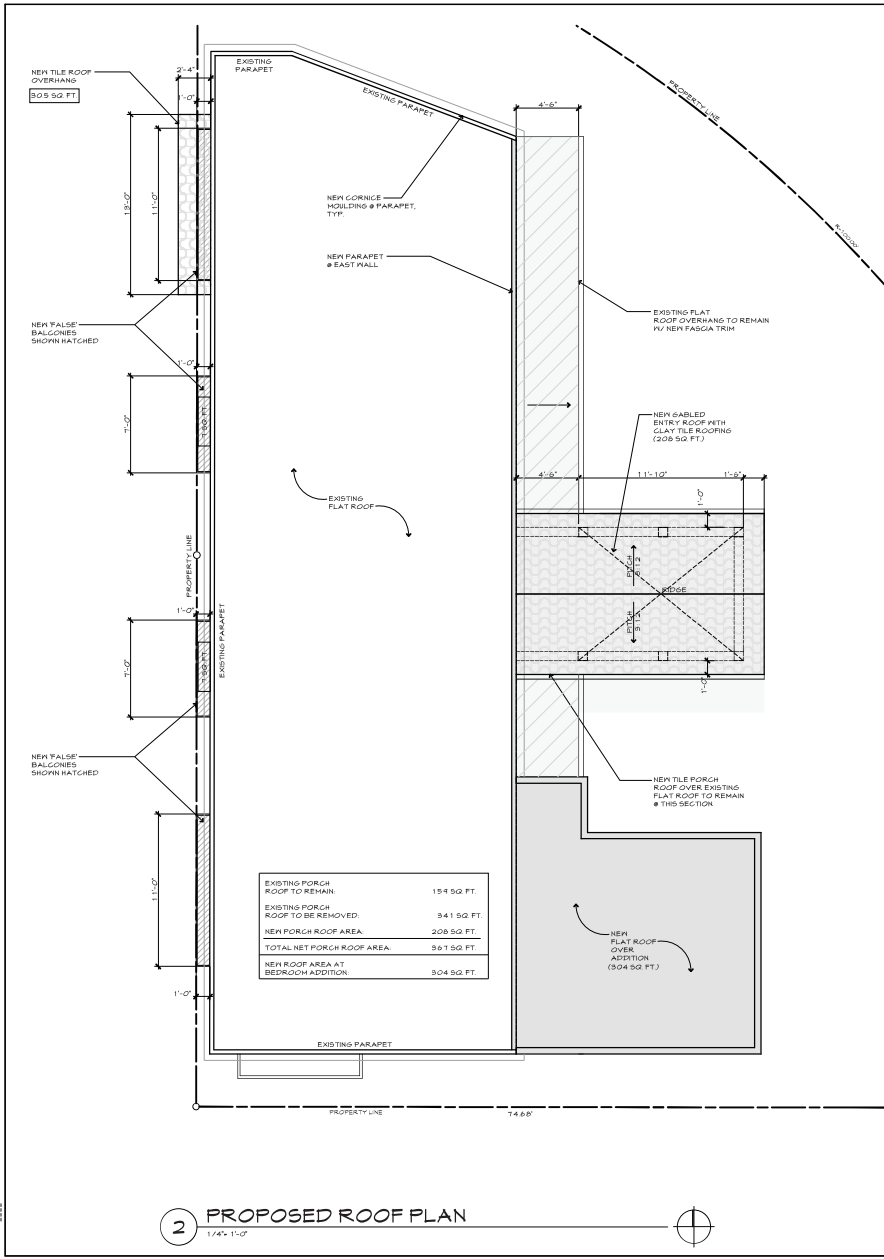
EXISTING IMPERVIOUS PLAN
1"=60'-0"

LANDSCAPED AREA:	IMPERVIOUS COVERAGE	LEGEND
TOTAL EXISTING LANDSCAPED AREA: 265 SQ. FT.	EXISTING IMPERVIOUS COVERAGE: BUILDING COVERAGE EXISTING TWO-STORY 4 UNIT RESIDENTIAL BUILDING: 1,558 SQ. FT. HARDSCAPE COVERAGE CONCRETE & ASPHALT AREAS: 2,188 SQ. FT. TOTAL IMPERVIOUS: 4,354 SQ. FT. EXIST DECKS TO BE REMOVED ABOVE EXIST CONCRETE PAVING: 382 SQ. FT.	<ul style="list-style-type: none"> EXISTING BUILDING IMPERVIOUS CONCRETE IMPERVIOUS ASPHALT



PROPOSED IMPERVIOUS PLAN
1"=60'-0"

LANDSCAPED AREA:	IMPERVIOUS COVERAGE	LEGEND
TOTAL PROPOSED LANDSCAPED AREA: OPEN LANDSCAPED AREA: 116 SQ. FT. TOTAL LANDSCAPED AREA: 1,241 SQ. FT.	PROPOSED IMPERVIOUS COVERAGE: BUILDING COVERAGE EXISTING TWO-STORY 4 UNIT RESIDENTIAL BUILDING: 1,558 SQ. FT. PROPOSED UPPER LEVEL ADDITION (BY PLANTING AREA BELOW): 304 SQ. FT. HARDSCAPE COVERAGE COVERED PORCHES, STAIRS, RAMP, & CONCRETE AREAS: 1,857 SQ. FT. TOTAL IMPERVIOUS: 3,711 SQ. FT. DECK AREAS (SEMI-IMPERVIOUS): 358 SQ. FT.	<ul style="list-style-type: none"> EXISTING BUILDING PROPOSED BUILDING IMPERVIOUS CONCRETE & ASPHALT IMPERVIOUS COVERED PORCHES, STAIRS & RAMP DECKS (SEMI-IMPERVIOUS)



DEREK VAN ALSTINE
RESIDENTIAL DESIGN INC.
1535 SEABRIGHT AVENUE SUITE 200, SANTA CRUZ, CALIFORNIA
95060-4970 PHONE: (837) 668-9174 FAX: (837) 668-9174

DVRD
DEREK VAN ALSTINE
RESIDENTIAL DESIGN INC.
1535 SEABRIGHT AVENUE SUITE 200, SANTA CRUZ, CALIFORNIA
95060-4970 PHONE: (837) 668-9174 FAX: (837) 668-9174

CAPITOLA VISTAS
212 MONTEREY AVENUE
CAPITOLA, CA 95010

095-261-11

ISSUE DESCRIPTION

SCHEMATIC DESIGN

DESIGN DEVELOPMENT

PLANNING SUBMITTAL

2/24/18

11/13/18

BUILDING SUBMITTAL

REVISIONS

4/2/17

ROOF PLANS

A4

Attachment: Project Plans (1837 : 212 Monterey Avenue)

DEREK VAN ALSTINE
RESIDENTIAL DESIGN INC.
155 SEABRIGHT AVENUE SUITE 200, SAINT CRUZ, CALIFORNIA
831.454.8070 / 831.454.8071

DVRD
DEREK VAN ALSTINE
RESIDENTIAL DESIGN
ARCHITECTURE

CAPITOLA VISTAS
212 MONTEREY AVENUE
CAPITOLA, CA 95010

095-261-111

ISSUE DESCRIPTION

SCHEMATIC DESIGN

DESIGN DEVELOPMENT

PLANNING SUBMITTAL

2/24/18

10/11/18

BUILDING SUBMITTAL

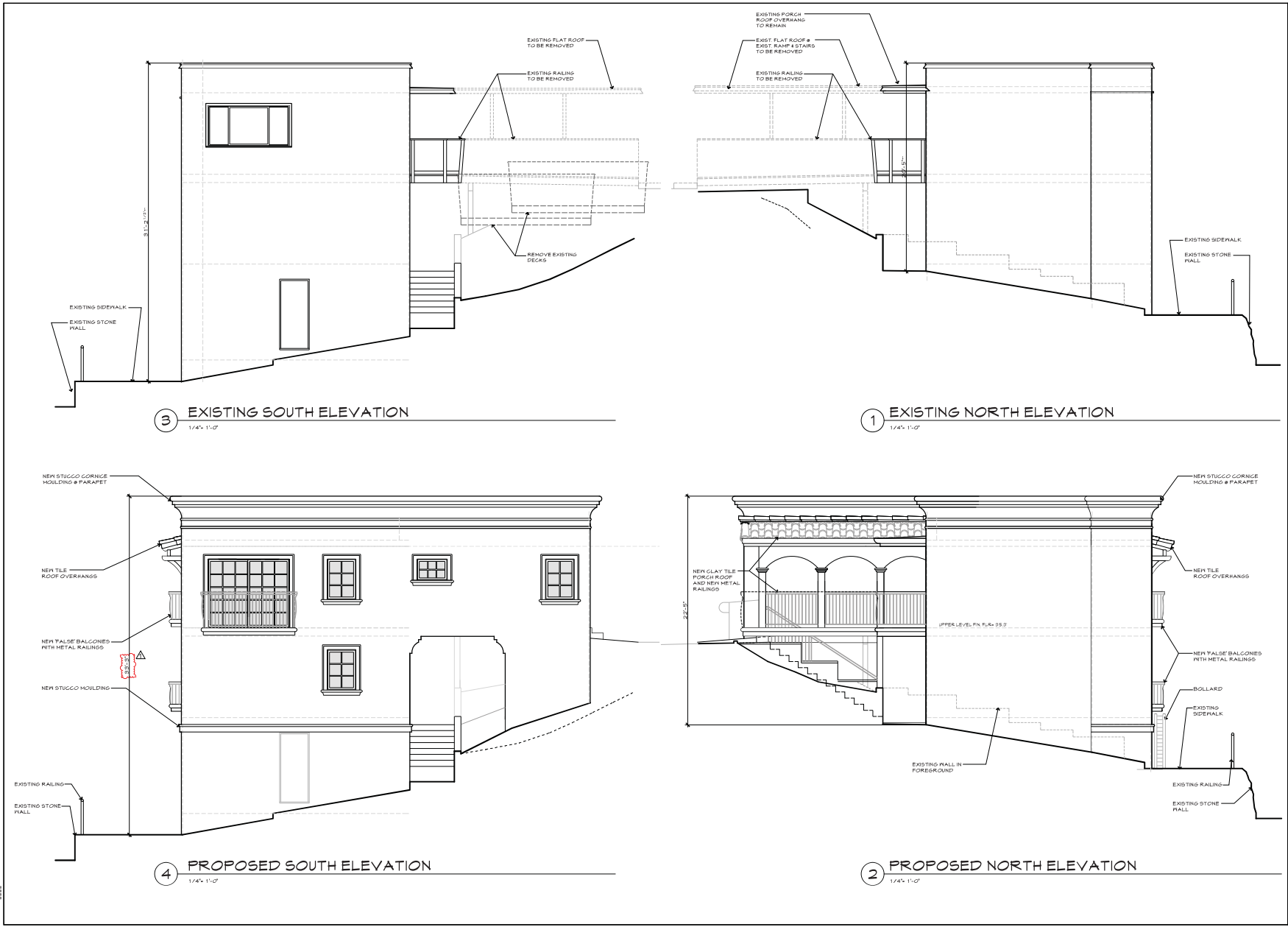
REVISIONS

4/3/17

EXTRA
ELEVATION

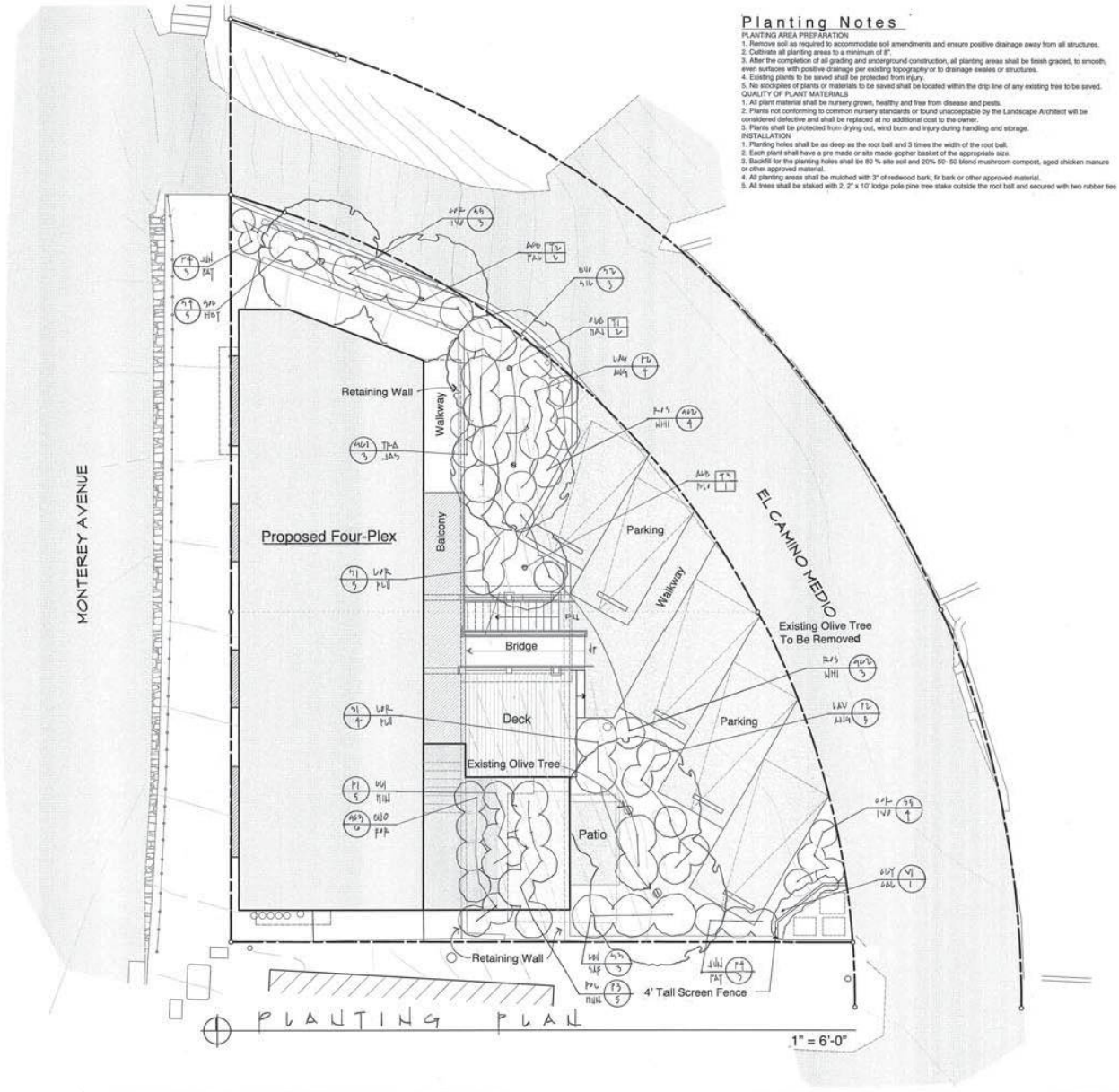
A7

Attachment: Project Plans (1837 : 212 Monterey Avenue)



Plant Legend

Sym	Botanical Name	Common Name	Size	Quan
Trees				
T1	Olea 'Majestic Beauty'	Fruitless Olive	15GC	2
T2	Acer palmatum	Green Japanese Maple	20GC	2
T3	Acer palmatum 'Bloodgood'	Red-leafed Japanese Maple	20GC	1
Shrubs				
S1	Loropetalum 'Plum Delight'	Red-leafed Magenta Fringe Flower	5GC	9
S2	Euonymus 'Silver King'	Variegated Euonymous Shrub	5GC	3
S3	Leucadendron 'Safari Goldstrike'	Yellow Cone Bush	5GC	3
S4	Golysia heterophylla	Blue Australian Bluebell Creeper	5GC	5
S5	Correa 'Ivory Bells'	White Australian Fuchsia	5GC	7
Perennials				
P1	Clivia miniata	Orange Kaffir Lily	1GC	5
P2	Lavandula angustifolia	Purple English Lavender	1GC	9
P3	Polystichum munifolium	Western Sword Fern	1GC	5
P4	Juncus patens	California Rush	1GC	6
Groundcovers				
GC1	Trachelospermum jasminoides	White Star Jasmine	1GC	3
GC2	Rosa 'White Flower Carpet'	White Carpet Rose	2GC	7
GC3	Euonymus fortunei 'Silver Queen'	Variegated Winter Creeper	1GC	6
Vines				
V1	Cytosoma callistegioides	Violet Trumpet Vine	5GC	1



Planting Notes

- PLANTING AREA PREPARATION**
1. Remove soil as required to accommodate soil amendments and ensure positive drainage away from all structures.
 2. Cultivate all planting areas to a maximum of 8".
 3. After the completion of all grading and underground construction, all planting areas shall be fresh graded, to smooth, even surfaces with positive drainage per existing topography or to drainage swales or structures.
 4. Existing plants to be saved shall be protected from injury.
 5. No stockpiles of plants or materials to be saved shall be located within the drip line of any existing tree to be saved.
- QUALITY OF PLANT MATERIALS**
1. All plant material shall be nursery grown, healthy and free from disease and pests.
 2. Plants not conforming to common nursery standards or found unacceptable by the Landscape Architect will be considered defective and shall be replaced at no additional cost to the owner.
 3. Plants shall be protected from drying out, wind burn and injury during handling and storage.
- INSTALLATION**
1. Planting holes shall be as deep as the root ball and 3 times the width of the root ball.
 2. Each plant shall have a pre made or site made gopher basket or the appropriate size.
 3. Backfill for the planting holes shall be 80% site soil and 20% 50-50 blend mushroom compost, aged chicken manure or other approved material.
 4. All planting areas shall be mulched with 3" of redwood bark, fir bark or other approved material.
 5. All trees shall be staked with 2, 2" x 10' lodge pole pine tree stake outside the root ball and secured with two rubber ties.

MINGIONE FOUR-PLEX
212 MONTEREY AVENUE
CAPITOLA, CA 95010

D99-201-11
ISSUE DESCRIPTION
SCHEMATIC DESIGN
DESIGN DEVELOPMENT
PLANNING SUBMITTAL
2/24/16
BUILDING SUBMITTAL
REVISIONS

12/14/16

L1

Ellen Cooper
Landscape Architect
831.426.6845
Ellen Cooper
Ca. Lic. #2937

Attachment: Project Plans (1837 : 212 Monterey Avenue)



CITY OF CAPITOLA
VARIANCE APPLICATION FORM

RECEIVED
APR - 8 2017
CITY OF CAPITOLA

VARIANCE SUMMARY

Please explain your Variance request and the development standards which you would like to modify:

REQUESTING A VARIANCE TO THE MAXIMUM BUILDING HEIGHT
REQUIREMENT.

REQUIRED FINDINGS

Please provide the reasons you believe the following findings can be made to support your Variance request. Note any special circumstances related to your property, including lot size, dimensions, shape, topography, and/or a historic structure. Attach additional pages as necessary.

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

DUE TO THE TOPOGRAPHY OF THE SITE, THE EXISTING STRUCTURE IS
OVER THE HEIGHT LIMIT ON THE SOUTH SIDE OF THE STRUCTURE.

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

THE PROPOSED DESIGN ADDS A CORNICE TO THE PARAPET CONSISTENT
WITH THE STYLE OF THE DESIGN. NO ADDITIONAL SHADOW WILL BE
CAST ON NEIGHBORING PROPERTY.

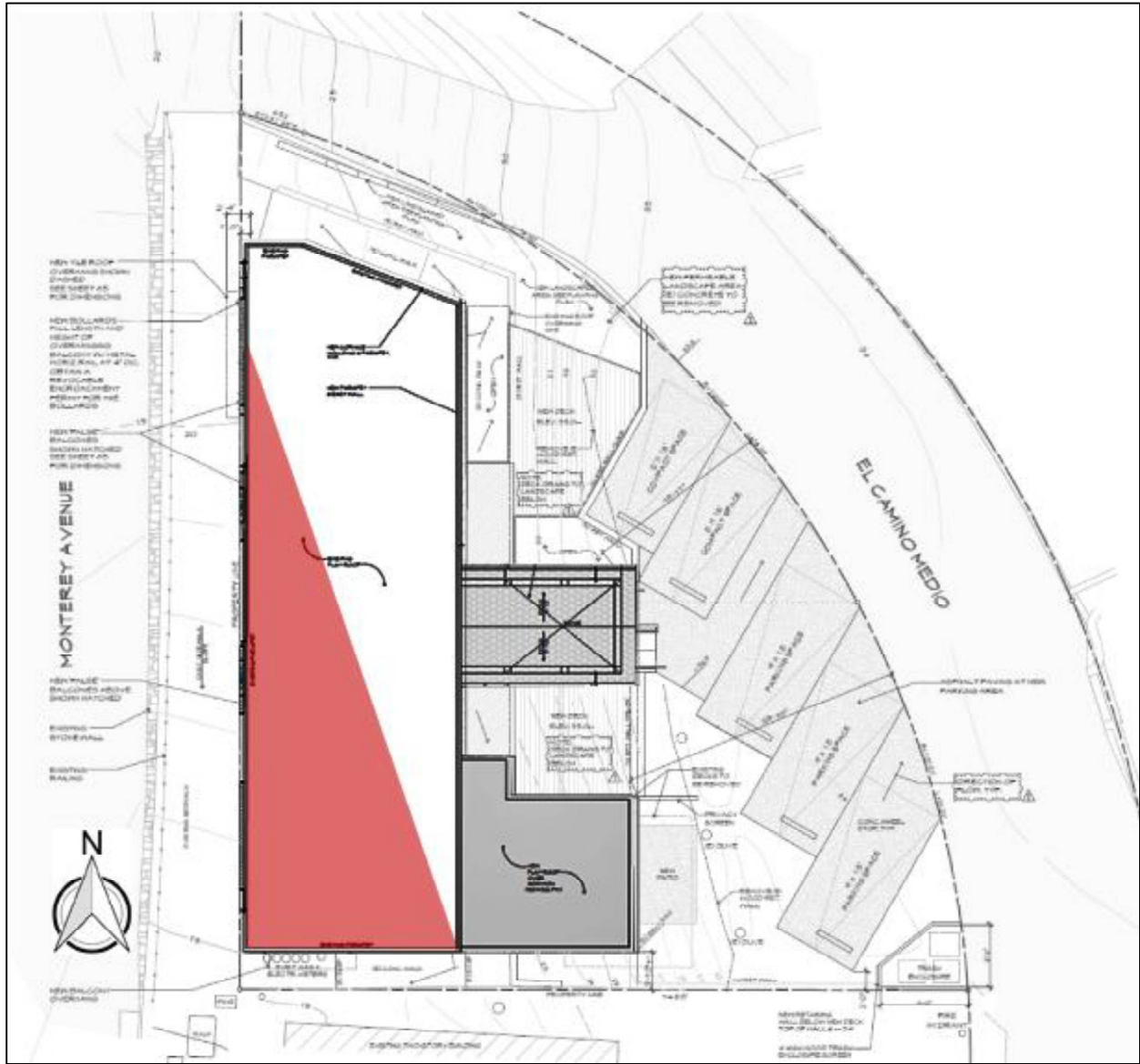
SIGNATURE

DATE 3.28.17

Attachment: Variance Request (1837 : 212 Monterey Avenue)

212 Monterey Avenue

Diagram: proposed building height vs. 27-foot maximum height requirement



 = Proposed roof area greater than 27'

Attachment: Proposed Roof Height Graphic (1837 : 212 Monterey Avenue)



STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: MAY 4, 2017
 SUBJECT: **4530 Garnet Street #16-157 034-034-02**

Design Permit application for a remodel and 497 square foot addition to an existing single-family residence located in the R-1 (Single-Family Residential) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: Clark Cochran

Representative: Dennis Norton, filed: 8/15/16

APPLICANT PROPOSAL

The applicant is proposing to construct a 497-square foot addition to an existing 550-square foot residence at 4530 Garnet Street. The property contains a single-family residence and a detached 376 square-foot accessory structure in the rear yard which the applicant proposes to use as a living area. The property is zoned R-1 (Single-Family Residential).

BACKGROUND

The Architectural and Site Review Committee reviewed the application on September 14th, 2016, and provided the applicant with the following direction:

Public Works Representative, Danielle Uharriet: directed the applicant to remove the existing secondary driveway approach when remodeling, and replace it with a standard city curb (Condition of Approval #11).

Building Inspector, Nelson Membreno: informed the applicant that the existing fire place at the rear of the existing detached accessory structure will need to meet proper building code requirements for venting.

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

Landscape Architect, Megan Bishop: had no comments on the landscape design.

City Planner, Ryan Safty: directed the applicant to remove a portion of the entry deck to comply with the required three-foot side yard setback, revise the parking area of the site plan to contain two parking spaces that are nine feet by 18 feet, add a two-foot landscape strip in between the edge of the driveway and the neighboring property on the

site plan, and revise the proposed project to comply with the maximum 80% structural alteration calculation for existing non-conforming properties. Additionally, staff informed the applicant that the initial proposal to attach the single-family home to the detached accessory structure could not be supported because it would further exasperate existing non-conforming setbacks. Single-family residences require greater rear and side yard setback requirements than detached buildings.

On April 4th, 2017, the applicant submitted revised plans which addressed the concerns of the committee.

ZONING SUMMARY

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

R-1 (Single Family Residential) Zoning District

Use			
Existing Use		Single-family	
Proposed Use		Single-family	
Principal Permitted Use or Condition Use		Principal Permitted Use	
Development Standards			
Building Height	R-1 Regulation		Existing
	25 ft.		13 ft.
			17.5 ft.
Floor Area Ratio (FAR)			
Lot Size		3,200 sq. ft.	
Maximum Floor Area Ratio		57% (Max 1,824 sq. ft.)	
Existing Residence Floor Area		550 sq. ft.	
Existing Accessory Structure Floor Area		376 sq. ft.	
Proposed Residence Floor Area		1,113 sq. ft.	
Proposed Accessory Structure Floor Area		310 sq. ft.	
TOTAL FAR		1,423 sq. ft. (44%)	
Yards (setbacks are measured from the edge of the public right-of-way)			
<u>Primary Structure</u>	R-1 Regulation		Existing Main Residence
Front Yard	15 ft.		21 ft. from right-of-way
Side Yard	10% lot width	Lot width 40 ft. = 4 ft. min.	9 ft. from property line on both sides
Rear Yard	20% lot depth	Lot depth 80 ft. = 16 ft. min	29 ft. from property line
<u>Detached Accessory Structure</u>	R-1 Regulation		Existing Detached Accessory Structure
Front Yard	Behind main residence		Behind main residence
			Behind main residence

Side Yard	5 ft. min.	* 2 in. from west property line and 21 ft. from east	* 2 in. from west property line and 21 ft. from east
Rear Yard	8 ft. min.	* 2 ft. – 8 in. from rear property line	* 2 ft. – 8 in. from rear property line
Encroachments	1) Front bay window legally encroaches 1.5 ft. into front yard 2) Side deck legally encroaches 1 ft. into side yard 3) Existing accessory structure doesn't meet rear or side setbacks. <i>(Allowed to remain since proposal complies with 80% structural alteration calculation)</i>		
Parking			
		Required	Proposed
Residential (from <u>1,500</u> sq. ft. and below)		2 spaces total 0 covered 2 uncovered	2 spaces total 0 covered 2 uncovered
Underground Utilities: required with 25% increase in area		Yes, required. <i>(Condition of Approval #10)</i>	

* Denotes existing non-conformity

DISCUSSION

The subject property at 4530 Garnet Street consists of a single-family residence and a detached accessory structure in the rear yard. The applicant is proposing to remodel and add 497 square feet to all four sides of an existing 550 square foot single-story home. The new addition areas would comply with the development standards of the R-1 district.

Design Permit

The applicant is proposing a complete exterior remodel as a part of the design permit application. The existing horizontal siding and shingled roof would be replaced with board and batt siding and a standing seam metal roof. The design raises the roof from 13 feet to 17.5 feet in height. The applicant is proposing a decorative cupola on the roof at the rear of the residence that would be up to 19-feet in height, which is compliant with the 25-foot height limit for the R-1 zone.

Landscaping

The applicant is proposing two feet of new landscaping between the driveway and the west side property line to comply with landscaping requirements. The existing front yard walkway, landscaping, and permeable stone sitting area would be preserved.

Detached Accessory Structure

The property currently includes a 376 square-foot detached accessory structure which was originally used as a garage and later converted to a secondary dwelling unit. The structure is currently vacant, but remains equipped with electricity, plumbing, gas, heating, full-kitchen with a stove, sink, and refrigerator, full-bathroom, and a living and sleeping area.

The accessory structure could not be permitted as a secondary dwelling unit under today's regulations because the property does not meet the minimum 5,000 square-foot lot size requirement and the structure does not provide adequate rear or side yard setbacks.

Furthermore, the applicant has indicated that the accessory structure has not been used as a secondary dwelling unit since the new owners purchased the property in 2014. Accordingly, the use is considered abandoned pursuant to municipal code section 17.72.040, which states that non-conforming activities lose their legal status after not being used for more than 90 days. Consequently, the detached accessory structure can no longer be used as a secondary dwelling unit.

The applicant proposes to keep the accessory structure in the same location and remove the existing kitchen and 66 square-feet from the front of the building. In accordance with municipal code §17.72.070, the structure may be retained with current setback encroachments because improvements do not exceed 80% of the fair market value of the structure.

Although the existing kitchen would be removed, staff is concerned that the proposed plans refer to the detached accessory structure as a “living” area which could easily be used as an unpermitted and non-conforming secondary dwelling unit. Staff has therefore added condition of approval (#5) to prohibit the structure from having a kitchen, gas line, or 220 plug, and limiting the drain size to under one and one-half inches.

Pursuant to the municipal code, “garages and accessory building other than approved secondary dwelling unit may not be used for human habitation” (§17.15.140). Accessory buildings are defined as, “a portion of the main building or a detached subordinate building [...] the use of which is purely incidental to that of the main building structure [...], and which shall not contain living or sleeping quarters, except as provided by Chapter 17.99 for secondary dwelling units” (§17.03.020) By virtue of removing the kitchen, the accessory structure, although serving as a “living area”, would not be considered a dwelling unit under municipal code regulations.

CEQA

Section 15301(e) of the CEQA Guidelines exempts additions to existing structures provided that the addition will not result in an increase of more than 10,000 square feet. This project involves the remodel and 497 square foot addition to an existing residence and removal of an existing kitchen from a detached accessory structure within the R-1 (Single-Family Residential) zoning district. No adverse environmental impacts were discovered during review of the proposed project.

RECOMMENDATION

Staff recommends the Planning Commission review the application and **approve** project application #16-157 based on the findings and conditions.

CONDITIONS OF APPROVAL

1. The project approval consists of a remodel and addition to an existing one-story residence at 4530 Garnet Street. The existing kitchen in the detached accessory structure will be removed from the accessory structure. There shall be no sleeping quarters within the accessory structure. The project consists of a 497-square foot addition to an existing 550-square foot residence and 376-square foot detached accessory structure. The maximum Floor Area Ratio for the 3,200-square foot property is 57% (1,824 square feet). The total FAR of the project is 44% with a total of 1,423 square feet of floor area, 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 4th, 2017, except as modified through conditions imposed by the Planning Commission during the hearing.

2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans.
3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
4. At the time of submittal for building permit review, Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP) shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP).
5. The detached accessory structure may not be used as a secondary dwelling unit. The detached accessory structure is prohibited from having a kitchen, gas line, 220 electric plug, and a sink drain-size over one and one-half inches in diameter. If any of these features currently exist in the accessory structure, the building plans must identify the existing features being removed at time of building permit submittal.
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 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 #16-157 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. Prior to issuance of building permits, the building plans must show that the existing secondary driveway approach (eastern property edge) be removed and replaced with a standard City curb which meets state accessibility requirements.
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 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. The removed curb cut requires an encroachment permit which must be completed prior to certificate of occupancy.
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 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.
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.

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 addition complies with the development standards of the Single-Family 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 remodel and addition. The exterior of the home will be updated completely with board and batt siding and a new roof. The project will maintain the character and integrity of the neighborhood.

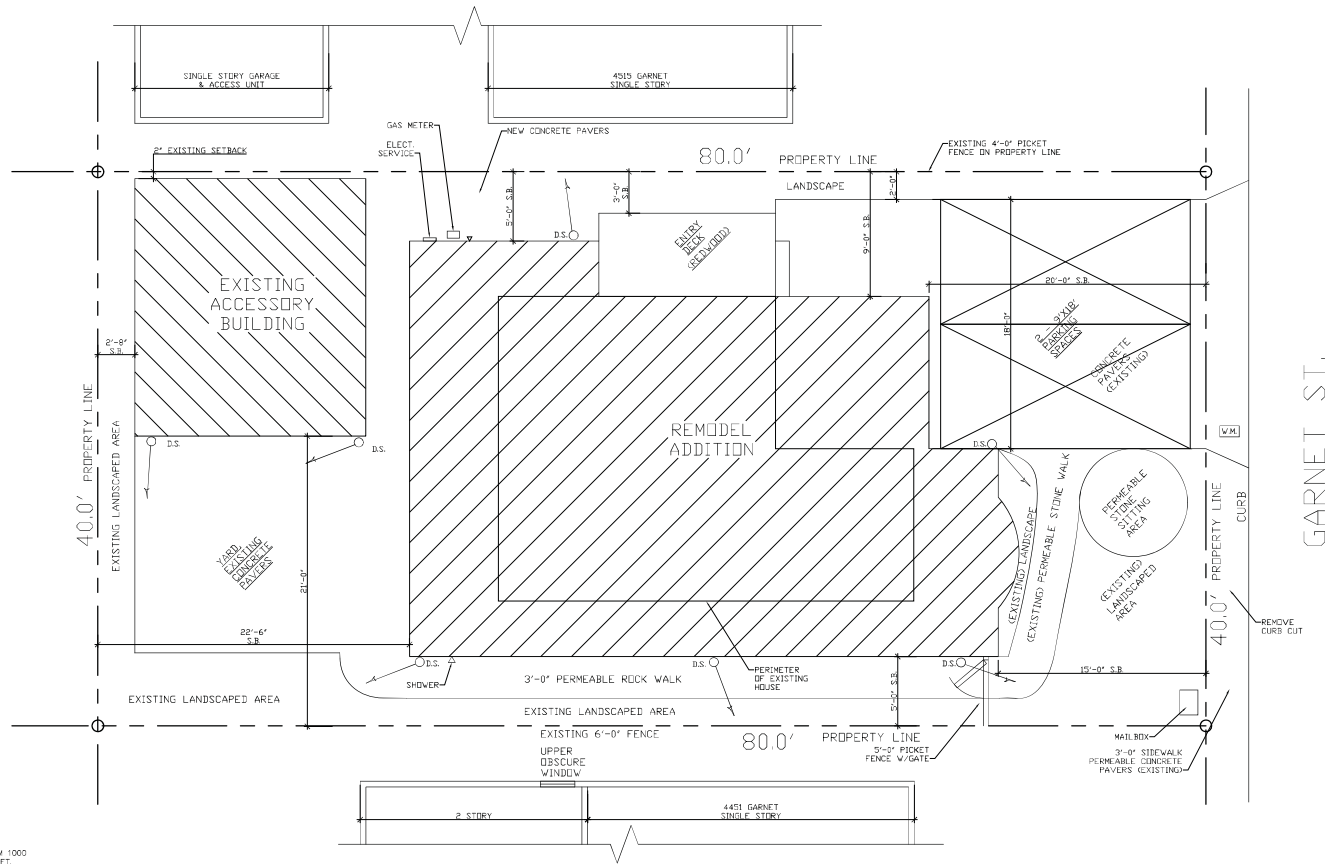
C. This project is categorically exempt under Section 15303 of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.

Section 15301(e) of the CEQA Guidelines exempts additions to existing structures provided that the addition will not result in an increase of more than 10,000 square feet. This project involves the remodel and 497 square foot addition to an existing residence and removal of an existing kitchen from a detached accessory structure within the R-1 (Single-Family Residential) zoning district. No adverse environmental impacts were discovered during review of the proposed project.

ATTACHMENTS:

1. Project Plans
2. Non-conforming Structural Cost Breakdown

Prepared By: Ryan Safty
Assistant Planner



FIRE DEPARTMENT REQUIREMENTS
 OCCUPANCY CLASSIFICATION R-3/U
 BUILDING CONSTRUCTION TYPE V-B
 NON-SPRINKLERED

FIRE FLOW REQUIREMENTS FOR SUBJECT PROPERTY ARE A MINIMUM 1000 GALLONS PER MINUTE FROM ON HYDRANT LOCATED WITHIN 200 FEET.
 EXISTING HYDRANT 1000 GPM

THESE PLANS ARE IN COMPLIANCE WITH CALIFORNIA BUILDING AND FIRE CODES (2013) AND DISTRICT AMENDMENTS.
 DESIGNER/INSTALLER SHALL SUBMIT THREE SETS OF PLANS AND CALCULATIONS FOR THE UNDERGROUND AND OVERHEAD RESIDENTIAL AUTOMATIC FIRE SPRINKLER SYSTEM TO FIRE FOR APPROVAL.
 SMOKE DETECTORS ARE TO BE INSTALLED ACCORDING TO CALIFORNIA BUILDING CODE AND APPROVED BY FIRE AGENCY.
 BUILDING NUMBERS SHALL BE PROVIDED. NUMBERS SHALL BE A MINIMUM OF FOUR INCHES IN HEIGHT ON A CONTRASTING BACKGROUND AND VISIBLE FROM THE STREET.
 INSTALL AN APPROVED SPARK ARRESTER ON THE TOP OF CHIMNEYS. THE WIRE MESH SHALL NOT EXCEED 1/2 INCH.
 ROOF COVER SHALL BE NO LESS THAN CLASS "B" RATED ROOF.
 A 30-FOOT CLEARANCE WILL BE MAINTAINED WITH NON-COMBUSTIBLE VEGETATION AROUND ALL STRUCTURES OR TO THE PROPERTY LINE WHOEVER IS A SHORTER DISTANCE.
 THE JOB COPIES OF THE BUILDING AND FIRE SYSTEMS PLANS AND PERMITS MUST BE ON SITE DURING INSPECTIONS.
 FIRE HYDRANT SHALL BE PAINTED IN ACCORDANCE WITH THE STATE OF CALIFORNIA HEALTH AND SAFETY CODE. SEE JURISDICTION REQUIREMENTS.
 DRIVEWAY SHALL HAVE IN PLACE (ALL WEATHER SERVICE) PRIOR TO ANY FRAMING CONSTRUCTION.
 THE DRIVEWAY SHALL HAVE AN OVERHEAD CLEARANCE OF 14 FEET VERTICAL DISTANCE FOR ITS ENTIRE WIDTH.
 AS A CONDITION OF SUBMITTAL OF THESE PLANS, THE OWNER AND INSTALLER CERTIFY THAT THESE PLANS ARE DETAILS COMPLY WITH APPLICABLE SPECIFICATIONS, STANDARDS, CODES AND ORDINANCES, AND AGREE THAT THEY ARE SOLELY RESPONSIBLE FOR COMPLIANCE WITH SPECIFICATIONS, STANDARDS, CODES AND ORDINANCES, AND FURTHER AGREE TO CORRECT ANY DEFICIENCIES NOTED BY THIS REVIEW, SUBSEQUENT REVIEW, INSPECTION OR OTHER SOURCE, AND, TO HOLD HARMLESS AND WITHOUT PREJUDICE, THE REVIEWER AND REVIEWING AGENCY.

DRIVEWAY WILL BE 14 FEET WIDE WITH A MAXIMUM SLOPE OF 8% WITH A SOIL COMPACTION OF 95% DRIVEWAY. - SEE SITE PLANS FOR DRIVEWAY.

REVISIONS:	BY:

OWNER:
 SUZANNE & LARK COCHRAN
 4530 GARNET ST.
 CAPITOLA, CA 95010
 408-607-7172

COCHRAN RESIDENCE
 4530 GARNET ST.
 CAPITOLA, CA 95010
 APN 034-034-02

DENNIS NORTON
 HOME DESIGN AND
 PROJECT PLANNING

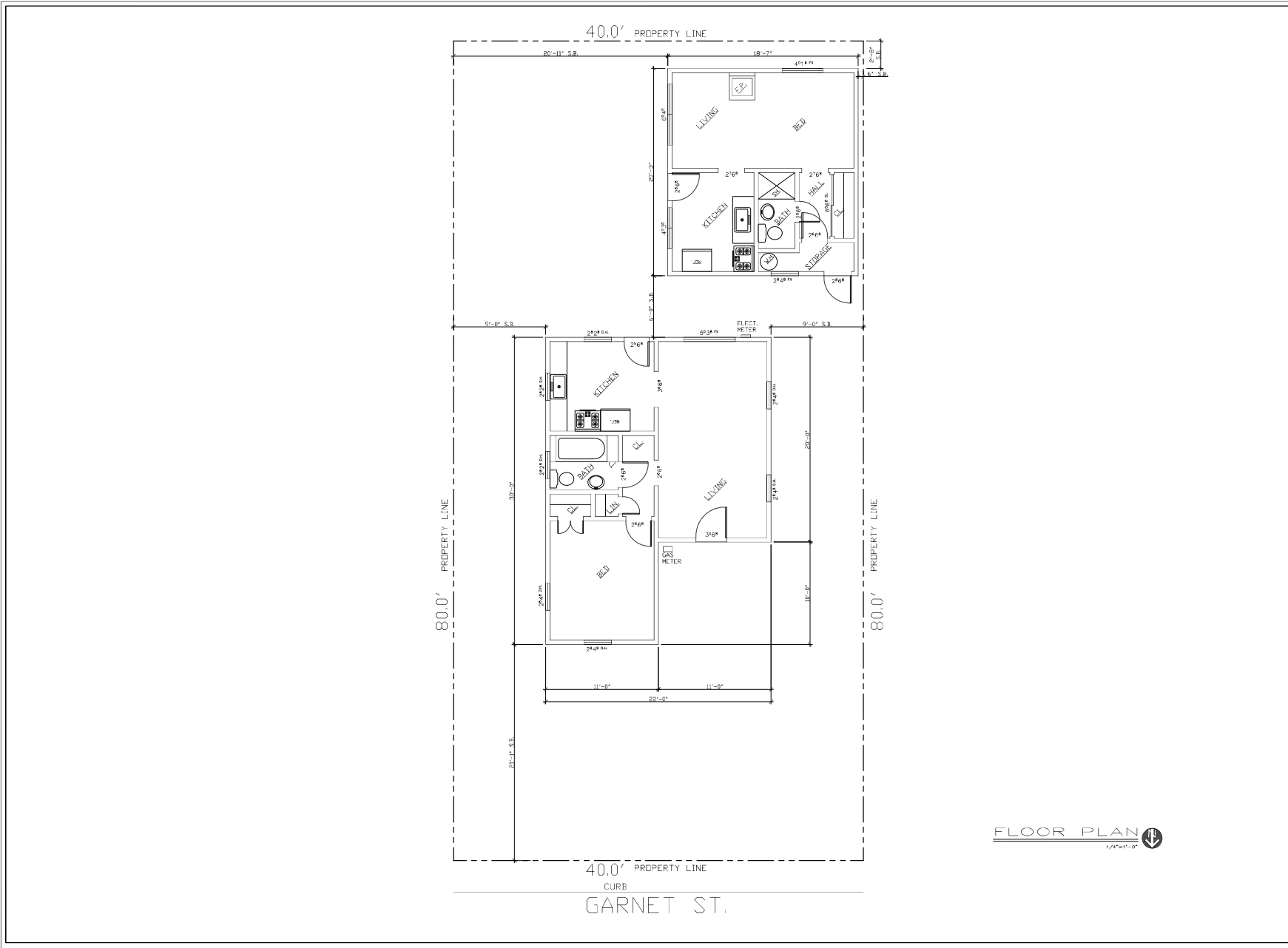
712 C CAPITOLA AV. CAPITOLA, CA 95010 - 831.479.2816
 FAX: 831.479.2816

SITE PLAN

OWNER: GC
 SCALE: 1/4"=1'-0"
 JOB NO: GARNET
 DATE: 02/15/17

SHEET
 2
 OF 7 SHEETS

Attachment: Project Plans (1844 : 4530 Garnet Street)



FLOOR PLAN 

REVISIONS:	BY:

OWNER:
 SIDANE & DEB COCHRAN
 4530 GARNET ST.
 CAPITOLA, CA 95010
 408-607-7172

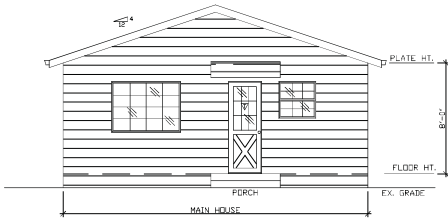
COCHRAN RESIDENCE
 4530 GARNET ST.
 CAPITOLA, CA 95010
 APN 034-034-02

DENNIS NORTON
 HOME DESIGN AND
 PROJECT PLANNING
 712 C CAPITOLA AV. CAPITOLA, CA 95010 • 831.476.2816
 Fax: 831.476.2816

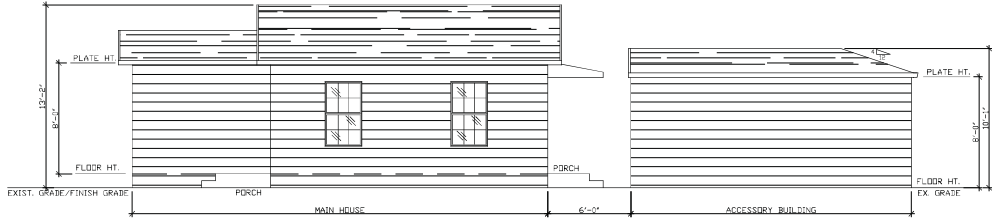
EXISTING
 FLOORPLAN

DRAWN: GG
 SCALE: 1/4"=1'-0"
 JOB NO. GARNET
 DATE: 03/14/16

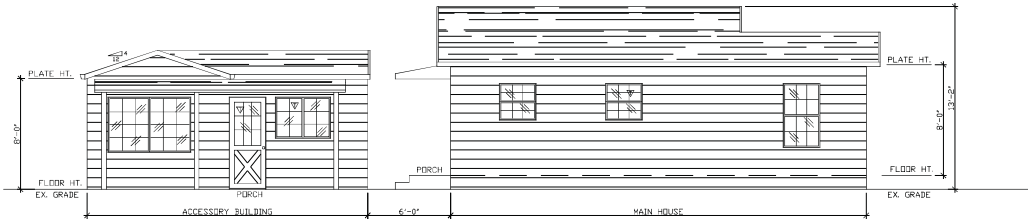
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 3
 OF # SHEETS



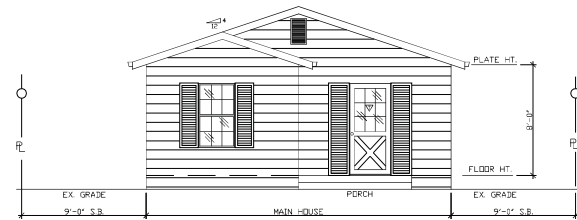
SOUTH



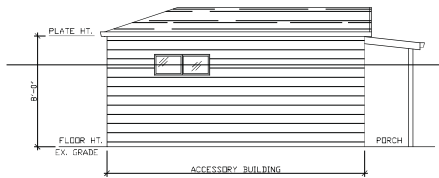
WEST



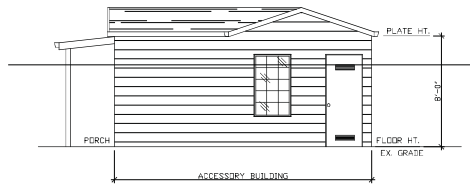
EAST



NORTH



SOUTH
ACCESSORY BLDG



NORTH
ACCESSORY BLDG

ELEVATIONS

NOTE: = TEMPERED GLASS

REVISIONS:	BY:

OWNER:
SUDANE & LORR COORAN
4530 GARNET ST.
CAPITOLA, CA 95010
408-607-7172

COCHRAN RESIDENCE
4530 GARNET ST.
CAPITOLA, CA 95010
APN 034-034-02

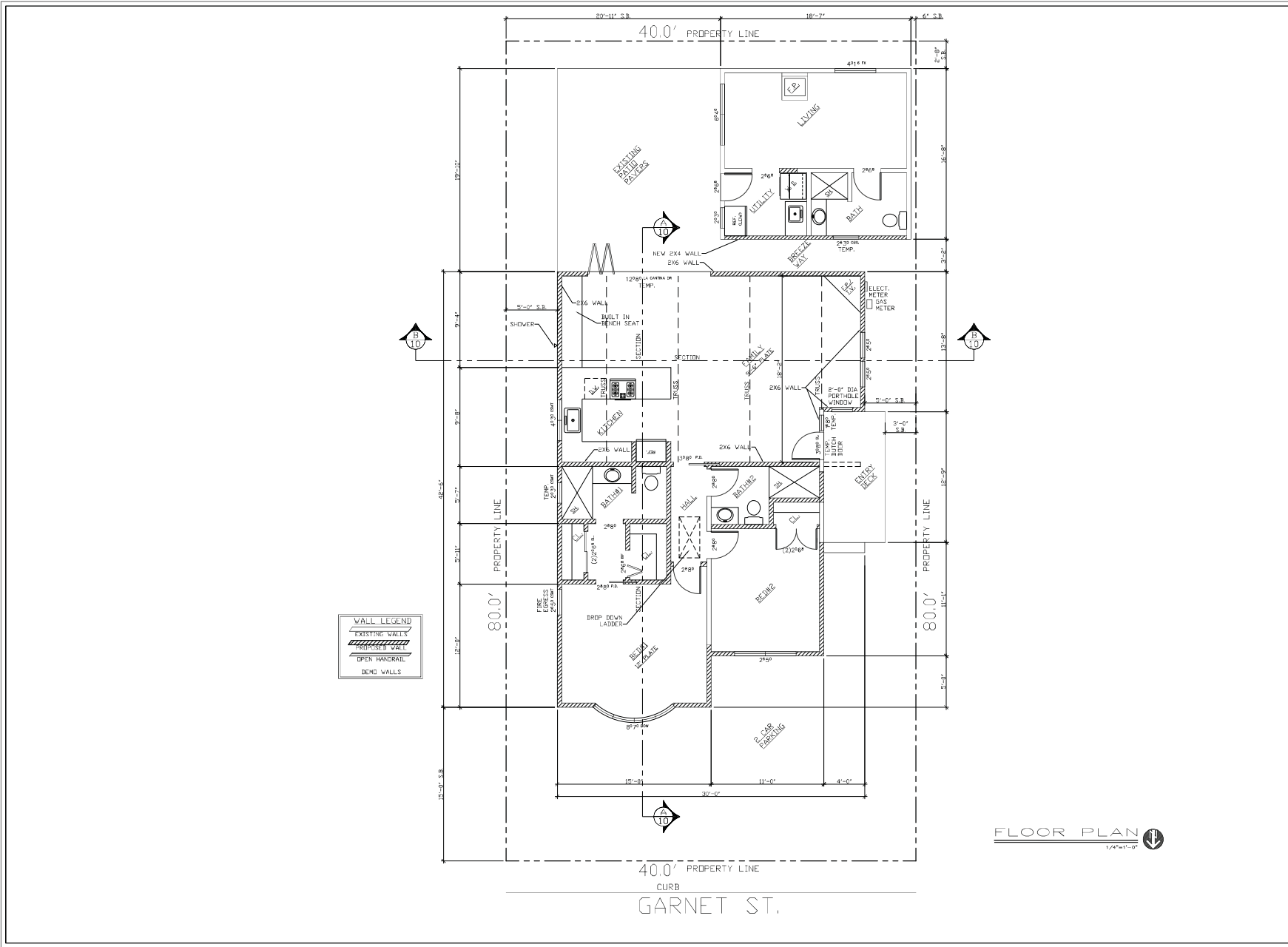
DENNIS NORTON
HOME DESIGN AND
PROJECT PLANNING
712 C CAPITOLA AV. CAPITOLA, CA 95010 • 831.476.2816
Fax: 476.2888

EXISTING
ELEVATIONS

DRAWN: GG
SCALE: 1/4"=1'-0"
JOB: GARNET
DATE: 08/11/16

SHEET
4
OF # SHEETS

Attachment: Project Plans (1844 : 4530 Garnet Street)



REVISIONS:	BY:

OWNER:
SIDANE & LARK COORAN
4530 GARNET ST.
CAPITOLA, CA 95010
408-607-7172

COCHRAN RESIDENCE
4530 GARNET ST.
CAPITOLA, CA 95010
APN 034-034-02

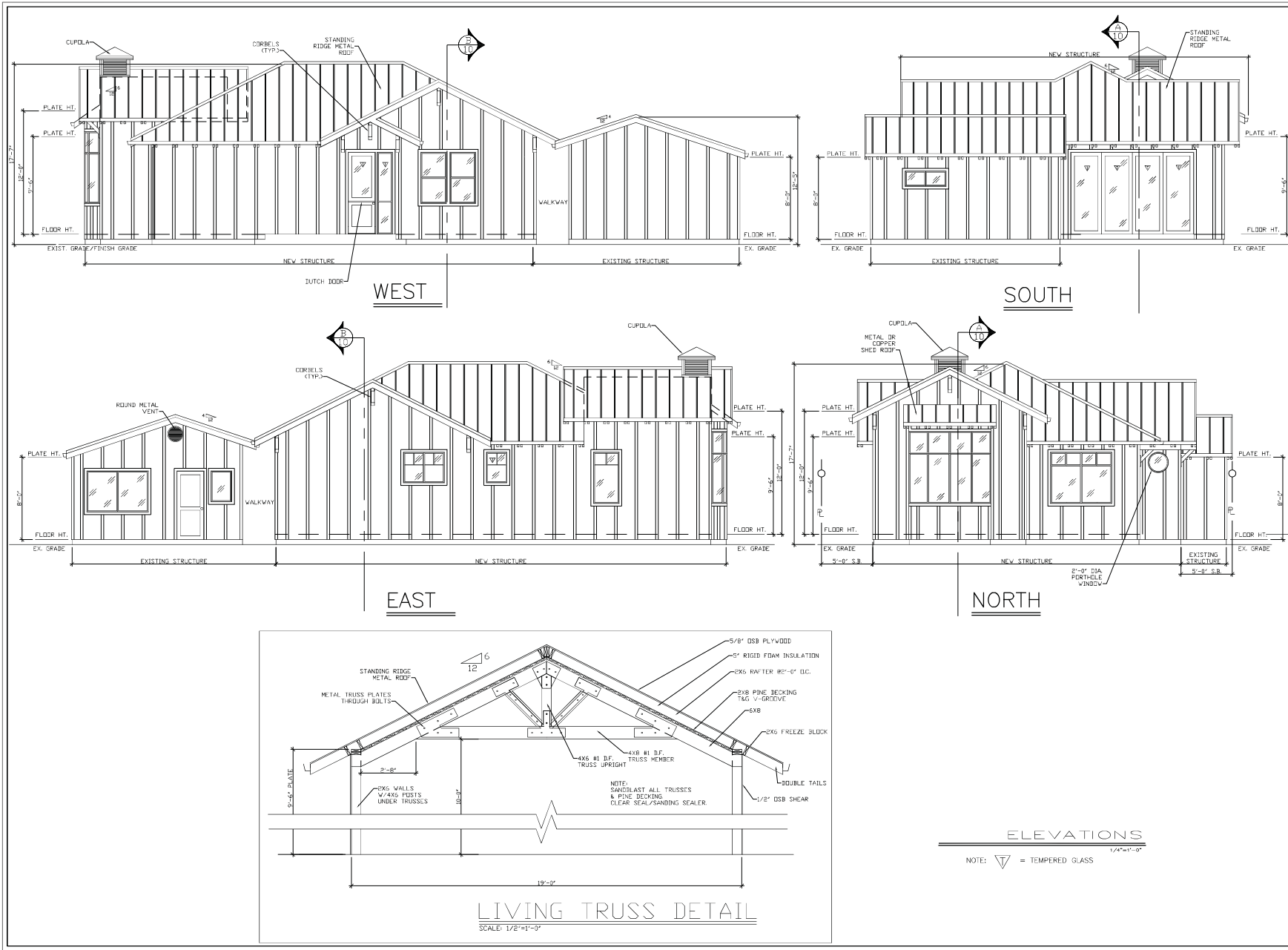
DENNIS NORTON
HOME DESIGN AND
PROJECT PLANNING
712 C CAPITOLA AV. CAPITOLA, CA 95010 • 831.476.2816
Fax: 476.8986

PROPOSED FLOORPLAN

DRAWN: GG
SCALE: 1/4"=1'-0"
JOB NO.: GARNET
DATE: 02/15/17

SHEET
5
OF # SHEETS

Attachment: Project Plans (1844 : 4530 Garnet Street)



REVISIONS:	BY:

OWNER:
SUDANE & TERRY COORAN
4530 GARNET ST.
CAPITOLA, CA 95010
408-607-7172

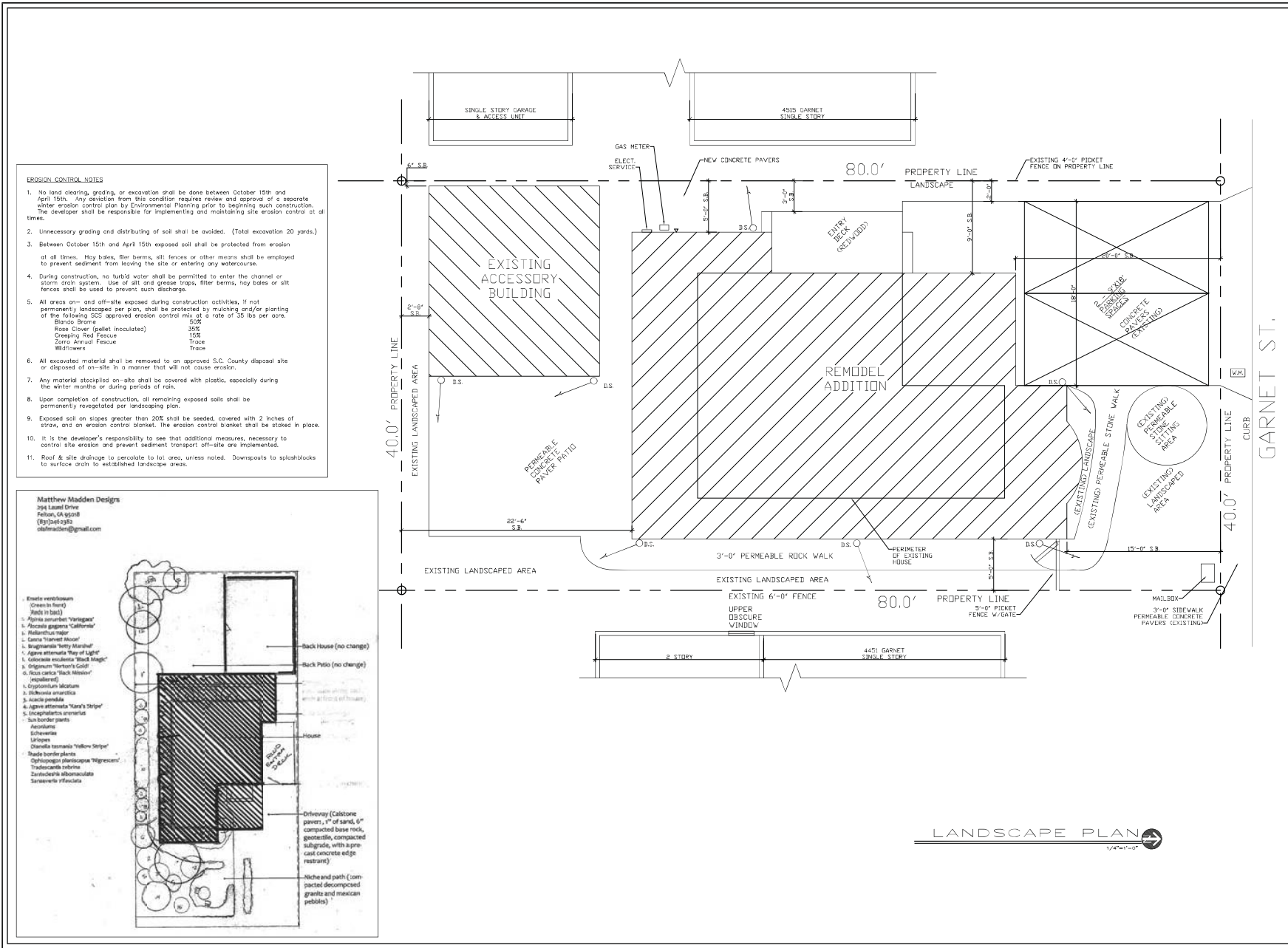
COCHRAN RESIDENCE
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CAPITOLA, CA 95010
APN 034-034-02

DENNIS NORTON
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PROJECT PLANNING
712 C CAPITOLA AV. CAPITOLA, CA 95010 - 831 476 2816
FAX: 476 898

PROPOSED
ELEVATIONS

DRAWN:	GG
SCALE:	1/4"=1'-0"
JOB:	GARNET
DATE:	02/15/17
SHEET	6
OF # SHEETS	6

Attachment: Project Plans (1844 : 4530 Garnet Street)



- EROSION CONTROL NOTES**
- No land clearing, grading, or excavation shall be done between October 15th and April 15th. Any violation from this condition requires review and approval of a separate winter erosion control plan by Environmental Planning prior to beginning such construction. The developer shall be responsible for implementing and maintaining site erosion control at all times.
 - Unnecessary grading and distributing of soil shall be avoided. (Total excavation 20 yards.)
 - Between October 15th and April 15th exposed soil shall be protected from erosion at all times. Hay bales, fiber berms, silt fences or other means shall be employed to prevent sediment from leaving the site or entering any watercourse.
 - During construction, no turbid water shall be permitted to enter the channel or storm drain system. Use of silt and grease traps, filter berms, hay bales or silt fences shall be used to prevent such discharge.
 - All areas on- and off-site exposed during construction activities, if not permanently landscaped per plan, shall be protected by mulching and/or planting of the following SOC approved erosion control mix at a rate of 50 lbs per acre.

Blonde Bronze	50%
Rose Cover (pellet inoculated)	30%
Creeching Red Fescue	10%
Zorro Annual Fescue	Trace
Wildflowers	Trace
 - All excavated material shall be removed to an approved S.C. County disposal site or disposed of on-site in a manner that will not cause erosion.
 - Any material stockpiled on-site shall be covered with plastic, especially during the winter months or during periods of rain.
 - Upon completion of construction, all remaining exposed soils shall be permanently revegetated per landscaping plan.
 - Exposed soil on slopes greater than 20% shall be seeded, covered with 2 inches of straw, and an erosion control blanket. The erosion control blanket shall be staked in place.
 - It is the developer's responsibility to see that additional measures, necessary to control site erosion and prevent sediment transport, off-site are implemented.
 - Roof & site drainage to percolate to lot area, unless noted. Downspouts to splashblocks to surface drain to established landscape areas.

Matthew Madden Designs
 104 Laurel Drive
 Felton, CA 95508
 (831) 242-9384
 mattmadden@gmail.com

Plant Schedule:

- 1. Emerald viburnum (Green in front)
- 2. Ash (in back)
- 3. Alpina serrata 'Viregata'
- 4. Albion gagea 'California'
- 5. Redwood cedar
- 6. Santa Ynez 'Almond'
- 7. Biopanax 'Baby Mountain'
- 8. Agave attenuata 'Ray of Light'
- 9. Cordyline alleneana 'Black Island'
- 10. Origonum 'Warton's Gold'
- 11. Rosa carolina 'Black Measur' (espaliered)
- 12. Cryptanthus alatum
- 13. Heliosia arvensis
- 14. Kaula pendula
- 15. Agave attenuata 'Mary's Stripe'
- 16. Incapularia ornata
- 17. Sun-bomber plants:
 - Aspidistra
 - Echeveria
 - Lithops
 - Clusia tomentosa 'Yellow Stripe'
- 18. Rock border plants:
 - Cyphopogon planispica 'Wigwag'
 - Tridactema tobinii
 - Zantediella albomaculata
 - Sarcocolla ruficincta

Other Notes:

- Back House (no change)
- Back Patio (no change)
- House
- Driveway (Cobblestone pavers, 4" of sand, 6" compacted base rock, geotextile, compacted subgrade, with pre-cast concrete edge restraint)
- Niche end path (compact decomposed granite and Mexican pebbles)

REVISIONS:	BY:

OWNER:
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 408-607-7172

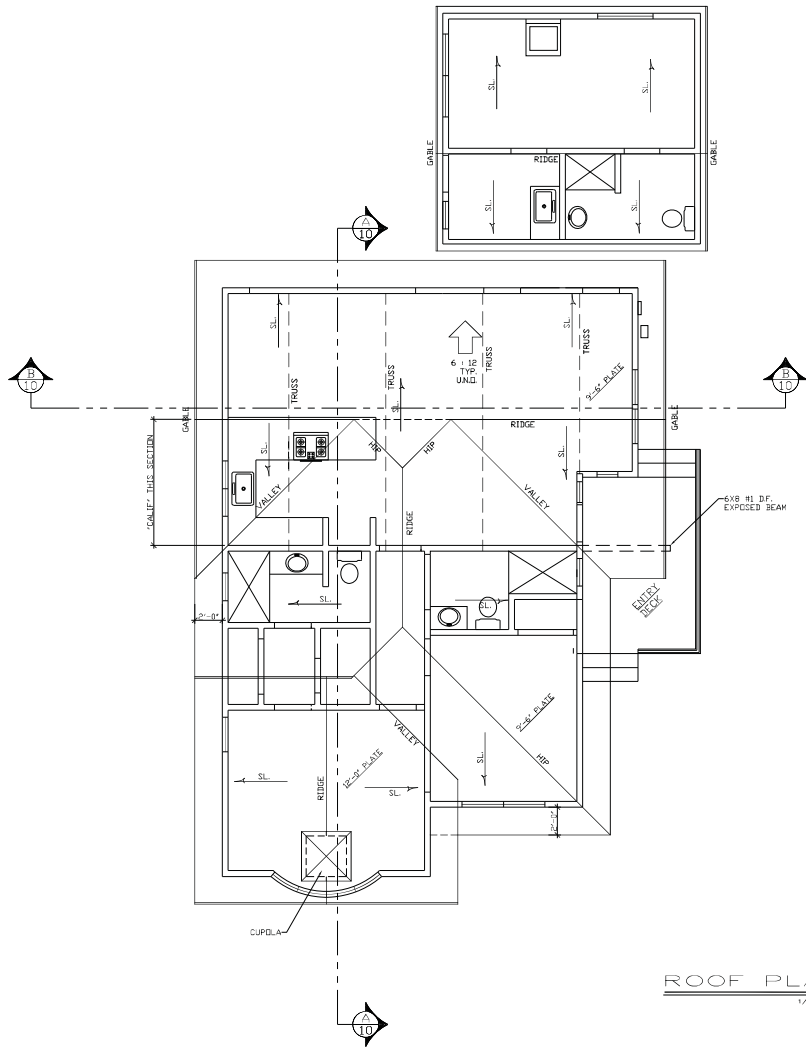
COCHRAN RESIDENCE
 4530 GARNET ST.
 CAPITOLA, CA 95010
 APN 034-034-02

DENNIS NORTON
 HOME DESIGN AND
 PROJECT PLANNING
 712 C CAPITOLA AV. CAPITOLA, CA 95010 • 831 478 2816
 FAX: 831 478 2816

LANDSCAPE PLAN

DRAWN: GC
SCALE: 1/4"=1'-0"
JOB NO.: GARNET
DATE: 02/15/17
SHEET: 7
OF # SHEETS: 7

Attachment: Project Plans (1844 : 4530 Garnet Street)



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

REVISIONS:	BY:

OWNER:
 SIDANE & DEB COCHRAN
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 CAPITOLA, CA 95010
 408-607-7172

COCHRAN RESIDENCE
 4530 GARNET ST.
 CAPITOLA, CA 95010
 APN 034-034-02

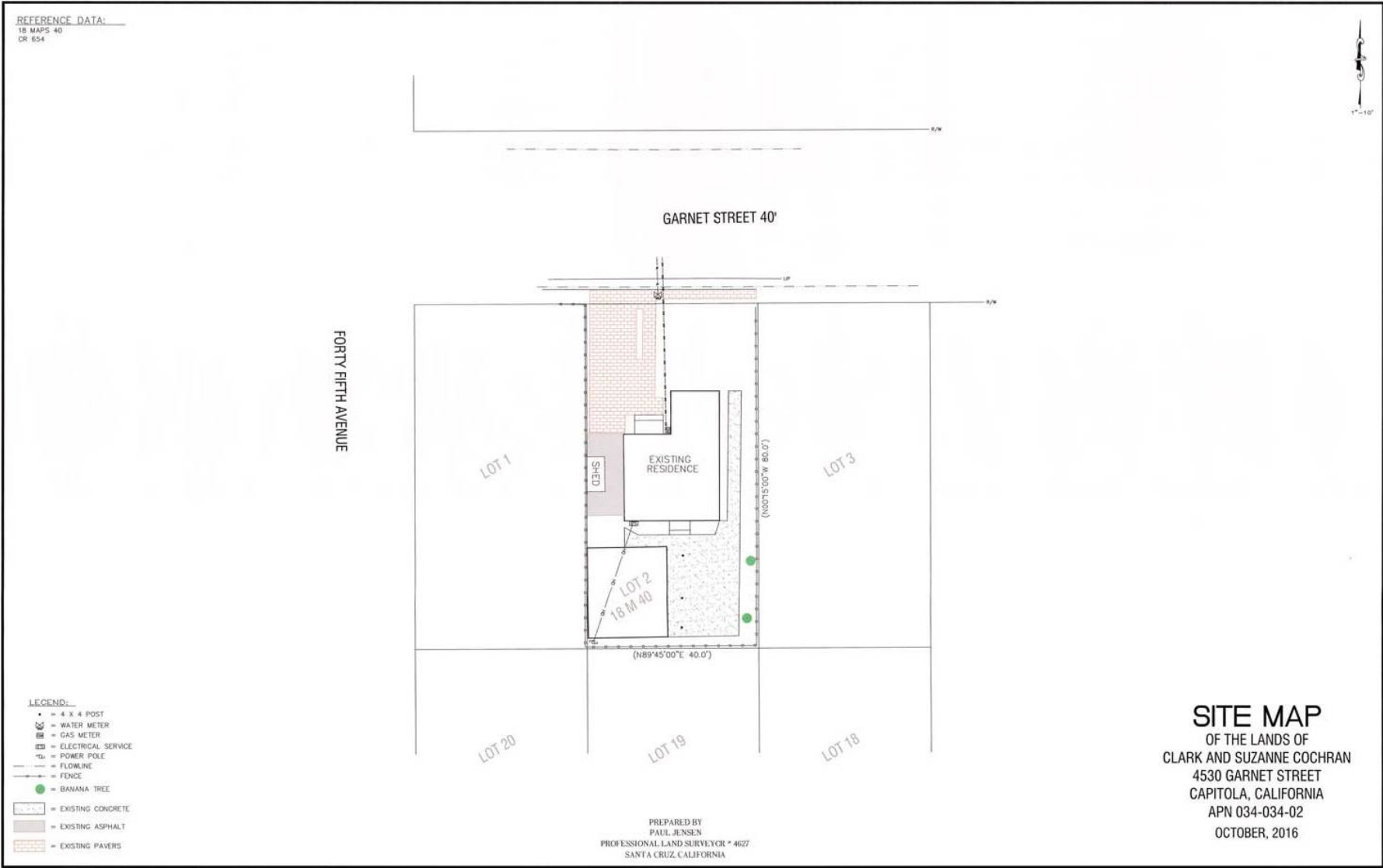
DENNIS NORTON
 HOME DESIGN AND
 PROJECT PLANNING
 712 C CAPITOLA AV. CAPITOLA, CA 95010 • 831.476.2816
 Fax: 831.476.2816

ROOF PLAN

DRAWN: GG
SCALE: 1/4"=1'-0"
JOB NO.: GARNET
DATE: 02/15/17

SHEET
 00
 OF # SHEETS

Attachment: Project Plans (1844 : 4530 Garnet Street)



Attachment: Project Plans (1844 : 4530 Garnet Street)

4530 GARNET

SAMPLE CONSTRUCTION COST BREAKDOWN PER Section 17.72.070

Existing Building Costs:

Existing residence:	926 1,256 square feet @ \$200.00/square foot	—\$251,200.00	185,200
Existing garage:	210 square feet @ \$90/square foot	\$18,900.00	0
Existing deck:	120 255 square feet @ \$25.00/square foot	\$6,375.00	10,500
<u>Total Existing Value:</u>		\$276,475.00	196,700
80% of Total Existing Value		\$221,180.00	156,560

New Construction Costs:

New conditioned space:	447 500 square feet @ \$200.00/square foot	\$100,000.00	99,400
New garage:	0 @ \$90.00/square foot	n/a	0
New deck/porch:	75 50 square feet @ \$25.00/square foot	\$1,250.00	1950

Remodel Costs: (50% of "new construction" costs)


Remodel conditioned space:	220 120 square feet @ \$100.00/square foot	\$12,000.00	44,000
Remodel garage:	0 @ \$45.00/square foot	n/a	0
Remodel deck:	0 @ \$12.50/square foot	n/a	0

Total Construction/Remodel Cost:

195,350.00
= 74%

SIGNED: 
REP. FOR OWNER.

APPROVED

Signed 
Date 4/19/17
Permit No. _____

Attachment: Non-conforming Structural Cost Breakdown (1844 : 4530 Garnet Street)



STAFF REPORT

TO: PLANNING COMMISSION
FROM: COMMUNITY DEVELOPMENT
DATE: MAY 4, 2017
SUBJECT: **Capitola Mall Redevelopment - Request to Continue to June 1, 2017**

Prepared By: Katie Herlihy
Senior Planner