

****Meeting will be held at the Capitola Community Center
4400 Jade Street, Room B, Capitola****



AGENDA
CAPITOLA PLANNING COMMISSION
Thursday, June 6, 2013 – 7:00 PM

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

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

B. Public Comments

Short communications from the public concerning matters not on the Agenda.

All speakers are requested to print their name on the sign-in sheet located at the podium so that their name may be accurately recorded in the Minutes.

C. Commission Comments

D. Staff Comments

3. APPROVAL OF MINUTES

A. May 2, 2013 Regular Meeting Minutes

4. CONSENT CALENDAR

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

A. 137 CORTEZ STREET #13-062 APN: 036-226-11

Design Permit to construct a second floor deck in the R-1 (Single-Family Residence)
Zoning District.

Environmental Determination: Categorical Exemption

Owner: David McKinnon, filed: 5/6/13

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

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

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

Coastal Permit and Design Permit to remodel an existing multi-story mingle-family house, including a first and second story addition in the RM-LM (Multi-Family Residence-Low Medium) Zoning District.
Environmental Determination: Categorical Exemption
This project requires a Coastal Permit which is not appealable to the California Coastal Commission.
Owner: Peter Wilk, filed: 2/19/13
Representative: Derek Van Alstine

C. 1575 38th AVENUE #13-061 APN: 034-181-17

Planned Development Rezoning, Conditional Use Permit, and Design Permit to demolish a commercial salvage yard (Capitola Freight and Salvage) and construct a three-story, 23-unit residential senior housing project in the CN (Neighborhood Commercial) Zoning District.
Environmental Determination: Mitigated Negative Declaration
Property Owner: Maureen A. Romac, filed: 5/11/13
Representative: Steve Thomas

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

Adjourn to the next Planning Commission on Thursday, July 18, 2013 at 7:00 PM, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

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

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

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

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

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

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

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

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**DRAFT MINUTES
CAPITOLA PLANNING COMMISSION MEETING
THURSDAY, May 2, 2013
7 P.M. – CITY HALL COUNCIL CHAMBERS**

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

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

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

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

Chairperson Routh announced that at the applicant's request, item 5.B would be continued.

Commissioners pulled consent items 4.A, 4.B, and 4.C for discussion.

B. Public Comments

Peter Kellison of 302 Fanmar spoke to item 5.B, saying he appreciated that the item was continued. He learned of the project from the most recent postcard notice, and has been in contact with the owner regarding the massing and view impact of the proposal. He said he is hopeful for ongoing dialogue among all the stakeholders.

C. Commission Comments

Chairman Routh welcomed new Community Development Director Rich Grunow.

Commissioner Smith noted that Council Chambers feature the first in what will be a rotating display of artwork by local students. The current collection is from Soquel High in a surrealist style using linear perspectives.

D. Staff Comments - None

3. APPROVAL OF MINUTES

A. April 4, 2013, Regular Planning Commission Meeting

Commissioner Ortiz added the adjective "historic" to phrases in her comments for item 5.B.

A motion to approve the April 4, 2013, meeting minutes as amended was made by Commissioner Graves and seconded by Commissioner Smith.

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

4. CONSENT CALENDAR

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

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

Lisa Murphy presented the application. She noted that it does not place any interpretive signs in Esplanade Park, and although the City's Arts and Cultural Commission initially hoped to echo the finish of the kiosk on interpretive signs along Soquel Creek, that restoration project proved more expensive than anticipated and will be pursued at a later date. She brought a mock-up of the kiosk design and samples of the finishes.

Commissioner Ortiz asked Ms. Murphy to clarify the Planning Commission's function and jurisdiction. Ms. Murphy explained that the Commission would review and approve the height, dimensions, and placement. Design and elements will go to the City Council for approval, as it oversees the Art and Cultural Commission.

Chairperson Routh opened the public meeting. There was no public comment.

Commissioner Smith, who serves on the Art and Cultural Commission, noted that a lot of thought went into the project. The location and size are meant to be large enough to display information effectively without being an eyesore.

Commissioner Ortiz asked for confirmation that the location would not interfere with unloading shuttles and vans.

A motion to approve project application #13-032 with the following conditions and findings was made by Commissioner Smith and seconded by Commissioner Welch:

CONDITIONS

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

FINDINGS

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

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

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

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

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

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

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

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

Design Permit to convert an existing office use into a duplex in the CR (Commercial/Residential) Zoning District.

Environmental Determination: Categorical Exemption

Owner: Mark Murphy

Applicant: Thomas Branagan, filed: 4/5/13

Commissioner Smith recused herself because she owns property close to the project.

Chairperson Routh explained that he pulled the item from the consent agenda because of the lack of landscaping as a residential unit. He suggested the commission add a condition to remove two of the four open parking spaces in front for landscaping and recommended continuing the item for a landscaping plan.

Tom Branagan represented the applicant and confirmed that the current parking plan reflects six parking spaces, two of which are covered. He said the property owner would likely agree to remove parking for more landscaping.

Commissioner Ortiz suggested a compromise with one space replaced with landscaping. Mr. Branagan said he will discuss the possibility with the owner and agreed with commissioners that the parking spot on the far right was a likely candidate for removal.

Commissioner Graves said he feels that the four spaces across the front looks like a sea of parking and he will want to review how much the landscaping softens the appearance before he could promise to support the removal of only one space.

Commissioner Welch asked for the landscaping requirement for the CR (Commercial Residential) zone, and Interim Planner Danielle Uharriet responded it is two feet on either side of the drive. She also confirmed that unlike the CN district, the CR zoning does not hold residential uses to different standards. Commissioner Graves asked for a reference to that difference in the code and when it was enacted.

A motion to continue project application #13-045 to June 6, 2013, was made by Commissioner Graves and seconded by Commissioner Ortiz.

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

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

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

Environmental Determination: Categorical Exemption

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

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

Representative: Dennis Norton

Commissioner Smith rejoined the meeting.

Commissioner Graves explained he pulled the item because of concern about its description on public noticing as an existing single-family home on a multi-unit property. He said he believes it is part of a four-plex. He acknowledged the situation is made more confusing because the building in question used to have a Grand Avenue address, but now shares the same Oakland Avenue address as the other dwellings on the parcel. That also raises questions of where the front of the home is for determining setbacks, he said. He noted he is very pleased with the design; he just believes this is a change in calling the front unit a single-family home.

Chairman Routh said he feels that unit has always been considered single-family.

There was no public comment.

A motion to approve project application #13-036 with the following conditions and findings was made by Commissioner Ortiz and seconded by Commissioner Smith:

CONDITIONS

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

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

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

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

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

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

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

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

5. PUBLIC HEARINGS**A. 3555 CLARES STREET #PP & #R #13-044 APN: 034-261-59**

Conditional Use Permit to expand an existing coffee house and establish a wine bar with the sale and dispensing of alcohol in the CC (Community Commercial) Zoning District.
Environmental Determination: Categorical Exemption
Owner: Brown Ranch Marketplace
Applicant: Aaron Anderson, filed: 4/2/13

Interim Planner Danielle Uharriet presented the staff report. She added that Police Chief Escalante reviewed the application and added conditions.

Commissioner Ortiz asked if 10 p.m. is the latest closing time for the Brown Ranch Center and recalled that hours were set based on talks with neighbors.

Chairman Routh opened the public hearing. There was no public comment.

Commissioner Graves recalled that most neighbor concern has been about the time of morning deliveries, and suggested a condition be added requiring adherence to existing hours of delivery.

A motion to approve project application #13-044 with the following conditions and findings was made by Commissioner Graves and seconded by Commissioner Smith:

CONDITIONS

1. The Conditional Use Permit is to allow a 2090-square-foot coffee house and wine bar at 3555 Clares Street Suites PP and R.
2. The business hours are 6 a.m. to 9 p.m., Monday through Thursday, 6 a.m. to 10 p.m. Friday and Saturday, and 7 a.m. to 9 p.m. on Sunday. The wine bar service will begin at 4 p.m. Monday through Friday and 12 noon on Saturday and Sunday.
3. Acoustic entertainment is allowed on Friday, Saturday, and Sunday.
4. No sound shall be audible outside the business.
5. No dancing is allowed on the premises.
6. Private events of the entire premises are prohibited. The 96-square-foot private meeting room may be reserved for special events, functions, and meetings.
7. The applicant is required to complete and follow the Responsible Beverage Service (RBS) practices and procedures. Employees who serve alcoholic beverages are required to attend and complete L.E.A.D.S. training offered by the Capitola Police Department.
8. The establishment must maintain a valid license from the Alcohol Beverage Control.
9. The applicant is responsible for maintaining the area directly in front of the business free from litter and/or graffiti.
10. The applicant shall obtain a Sign Permit consistent with the Brown Ranch Marketplace approved master sign program.
11. Outdoor displays, sandwich-board-type signage, and other movable freestanding signs are prohibited.
12. A six-month review of the conditions of approval shall be conducted by the Community Development Director.
13. Any significant changes to the use or the site shall be approved by the Planning Commission.
14. The application shall be reviewed by the Planning Commission upon evidence of non-compliance with conditions of approval or applicable municipal code provisions.
15. Delivery hours shall be limited to 8 a.m. - 5 p.m. Garbage and recycling areas shall be located as far as reasonably possible from the residential area. Garbage pick-up shall be limited to 8 a.m. – 5 p.m.

FINDINGS

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

Community Development Staff and the Planning Commission have reviewed the project and determined that the proposed use is permitted in the CC (Community Commercial) Zoning District

with a Conditional Use Permit. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance and General Plan.

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

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

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

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

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

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

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

Environmental Determination: Categorical Exemption

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

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

Applicant: Derek Van Alstine

This application was continued to the June 6, 2013, meeting at the request of the applicant.

6. STAFF REPORT

None

7. COMMISSION COMMUNICATIONS

Commissioner Welch confirmed that the Commission on the Environment has been suspended for about six months during the staff transition and that any activities are ad hoc outside the scope of City oversight.

8. ADJOURNMENT

The Planning Commission adjourned the meeting at 7:26 p.m. to a Regular Meeting of the Planning Commission to be held on Thursday, June 6, 2013, at 7 p.m. in the Capitola Community Center, 4400 Jade St., Room B, Capitola, California.

Approved by the Planning Commission on June 6, 2013.

Linda Fridy, Minute Clerk

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STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: JUNE 6, 2013

SUBJECT: **137 CORTEZ STREET** **#13-062** **APN: 036-226-11**
 Design Permit to construct a second floor deck in the R-1 (Single-Family Residence) Zoning District
 Environmental Determination: Categorical Exemption
 Owner: David McKinnon, filed: 5/6/13

APPLICANT'S PROPOSAL

The applicant is proposing a second floor deck in the rear yard at 137 Cortez Street in the R-1 (Single-Family Residence) Zoning District. The use is consistent with the General Plan, Zoning Ordinance and Local Coastal Plan.

<u>STRUCTURAL DATA</u>				
<u>SETBACKS</u>		Required	Existing	Proposed
Front Yard	First Floor	15'-0"	20'-0"	20'0"
	Second Floor	20'-0"	20'-0"	20'-0"
Rear Yard	First Floor	20'-0"	34'-0"	34'-0"
	Second Floor	20'-0"	34'-0"	34'-0"
Side Yard	First Floor	7'-6" interior 10'-0" street	8'-9" interior 15'-6" street	8'-9" interior 15'-6" street
	Second Floor	5'-9" interior 8'-6" street	7'-0" interior 8'-6" street	7'-0" interior 8'-6" street
<u>MAXIMUM BUILDING HEIGHT</u>		25'	22'-0"	22'-0"
<u>PROPOSED DECK HEIGHT</u>				
		Deck Railing		10'-0" 3'-6"

FLOOR AREA RATIO		
Lot Size		8,305 sq. ft
Maximum Allowable	48%	3,986 sq. ft.
Existing	30%	2,452 sq.ft.
Proposed	32%	2,651 sq.ft.

	Existing	Proposed
First Floor	1,150	1,150
Garage	441	441
Second Floor	861	861
Second Floor Deck	0	199
TOTAL	2,452	2,651

BACKGROUND AND DISCUSSION

The subject property is an 8,305-square-foot corner lot with an existing one- and two-story single-family dwelling. In 2003, an in-ground swimming pool was installed. In 2004, a 168-square-foot first floor addition was constructed at the rear of the residence to expand a family room. The applicant constructed a second-story deck without the benefit of a permit and is now proposing to legalize the 199-square-foot deck. A design permit is required for second-floor decks.

The deck is located on the second floor at the rear of the home with access from interior living space, above the existing 2004 family room addition. The floor of the deck is 10'0" above the ground with a 3'-6" redwood and metal cable railing. A wood ladder provides access to the ground. The deck is set back 8'-9" from the side yard and approximately 34'-0" from the rear yard. The neighbors potentially affected by the deck have submitted letters in support of the deck. The second floor deck area is included in the floor area ratio. The inclusion of the deck area does not exceed the allowable floor area ratio for the property.

CEQA REVIEW

Section 15303(e) of the CEQA Guidelines exempts the construction of small structures with minor modifications to the exterior of a structure. This project involves the construction of a second story deck in the R-1 (Single-Family Residence) Zoning District. No adverse environmental impacts were discovered during review of the proposed project.

RECOMMENDATION

Staff recommends the Planning Commission **approve** project application #13-062 based on the following Conditions and Findings for Approval.

CONDITIONS

1. The project approval is to construct a 199-square-foot second story deck at 137 Cortez Street.
2. Any significant modifications to the size or exterior appearance of the structure must be approved by the Planning Commission.
3. Prior to granting of final occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Zoning Administrator or Community Development Director.

PLANNING COMMISSION AGENDA REPORT: June 6, 2013 137 Cortez Street

FINDINGS

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

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

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

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

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

This project involves construction of a second story deck in the R-1 (Single-Family Residence) Zoning District. Section 15303 of the CEQA Guidelines exempts the construction of accessory structures in a single-family residence in a residential zone.

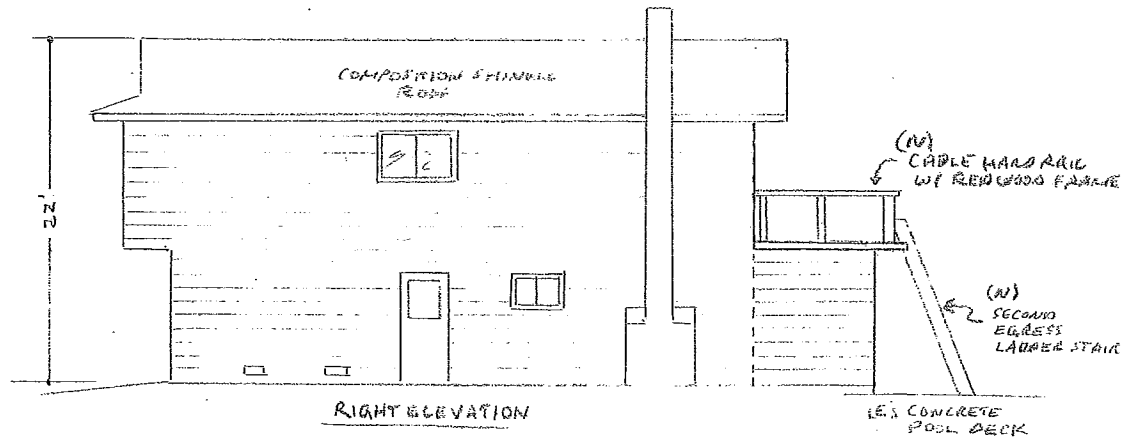
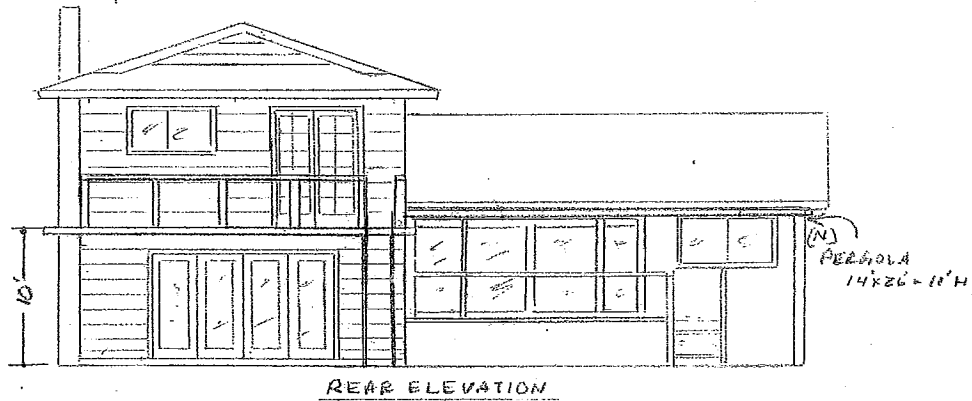
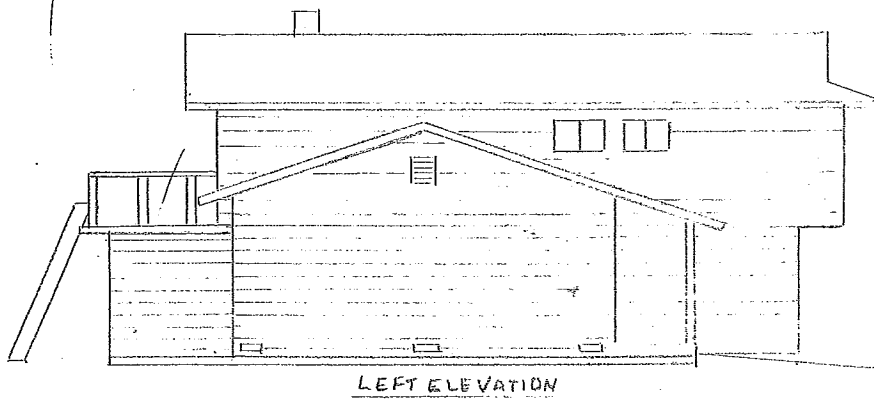
ATTACHMENTS

- A. Project Plans
- B. Letter from Erin Adams, dated May 3, 2013 and
Letter from Julie Atchley, dated May 4, 2013

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

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2 ND STORY DECK TO HOUSE		
SCALE: $\frac{3}{32}'' = 1.0'$	APPROVED BY:	DRAWN BY K
DATE: 8/5/03		REVISED \$
137 CORTEZ ST. CAPITOLA		-13-



ELEVATIONS AND ROOF PLAN		
SCALE: $\frac{1}{8}" = 1'-0"$	APPROVED BY:	DRAWN BY: <i>OWH</i>
DATE:		REVISED: 5/4/2013
137 CORTEZ ST. CAPITOLA		
MCKINNON		DRAWING NUMBER: 44

To: City of Capitola Planning Department Staff
Re: 137 Cortez Street, Capitola – 2nd Story Rear Deck

We have no opposition to the addition of a safety railing and secondary egress ladder/stair to the existing rear deck on the property listed above.

Name: Julie Atchley

Address: 138 Magellan St. Capitola, CA 95010

Phone Number: (831) 475-4072

Signature Julie Atchley Date: 5/4/13

To: City of Capitola Planning Department Staff
Re: 137 Cortez Street, Capitola – 2nd Story Rear Deck

We have no opposition to the addition of a safety railing and secondary egress ladder/stair to the existing rear deck on the property listed above.

Name: ERIN ADAMS

Address: 141 CORTEZ ST

Phone Number: 831 476 4825

Signature Erin Adams Date: 5/3/13



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: JUNE 6, 2013

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

BACKGROUND AND DISCUSSION

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

At its May 2, 2013, meeting, the Planning Commission continued this project application to address front yard landscaping. The Commission suggested the removal of one or two parking spaces, and the installation of landscaping in the front yard area.

The development standards for the C-R (Commercial/Residential) Zoning District, as amended in 1985, encourages a design emphasis placed on the provision of adequate sidewalk width, street trees, potted plants and front-yard landscaping. Additionally, landscaping should further the creation of a harmonious pedestrian, commercial atmosphere.

In response to the Commission's comments, the applicant has redesigned the front yard area by removing two parking spaces, 416-square-feet of existing pervious paving, and replaced the parking with a landscaped area of native plants and open space for the residents. The existing 136 square feet of landscaped area in front of the residence will remain, and is incorporated into the overall landscape design.

The proposed residential use requires four parking spaces, two of which must be covered, one for each unit. The applicant is proposing two simple metal frame carports with roofing material to match the main building roof. The carports are behind the front setback, in front of the residential units.

PARKING	Required	Existing	Proposed
	2 spaces per unit, one of which must be covered.	4 uncovered	2 covered 2 uncovered
Total	4 spaces	4 spaces	4 spaces

RECOMMENDATION

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

CONDITIONS

1. The project approval is to convert an existing 864-square-foot office into two residential units: a 203-square-foot studio unit and a 661-square-foot two-bedroom unit at 4980 Capitola Road.
2. Any significant modifications to the size or exterior appearance of the structure must be approved by the Planning Commission.
3. The final landscape and irrigation plan shall be submitted with the building permit application. Front yard landscaping shall be installed prior to final building occupancy.
4. Hours of construction shall be Monday to Friday 7:30 a.m. – 9:00 p.m., and Saturday 9:00 a.m. – 4:00 p.m., per city ordinance.
5. Prior to granting of final occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Zoning Administrator or Community Development Director.

FINDINGS

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

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

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

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

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

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

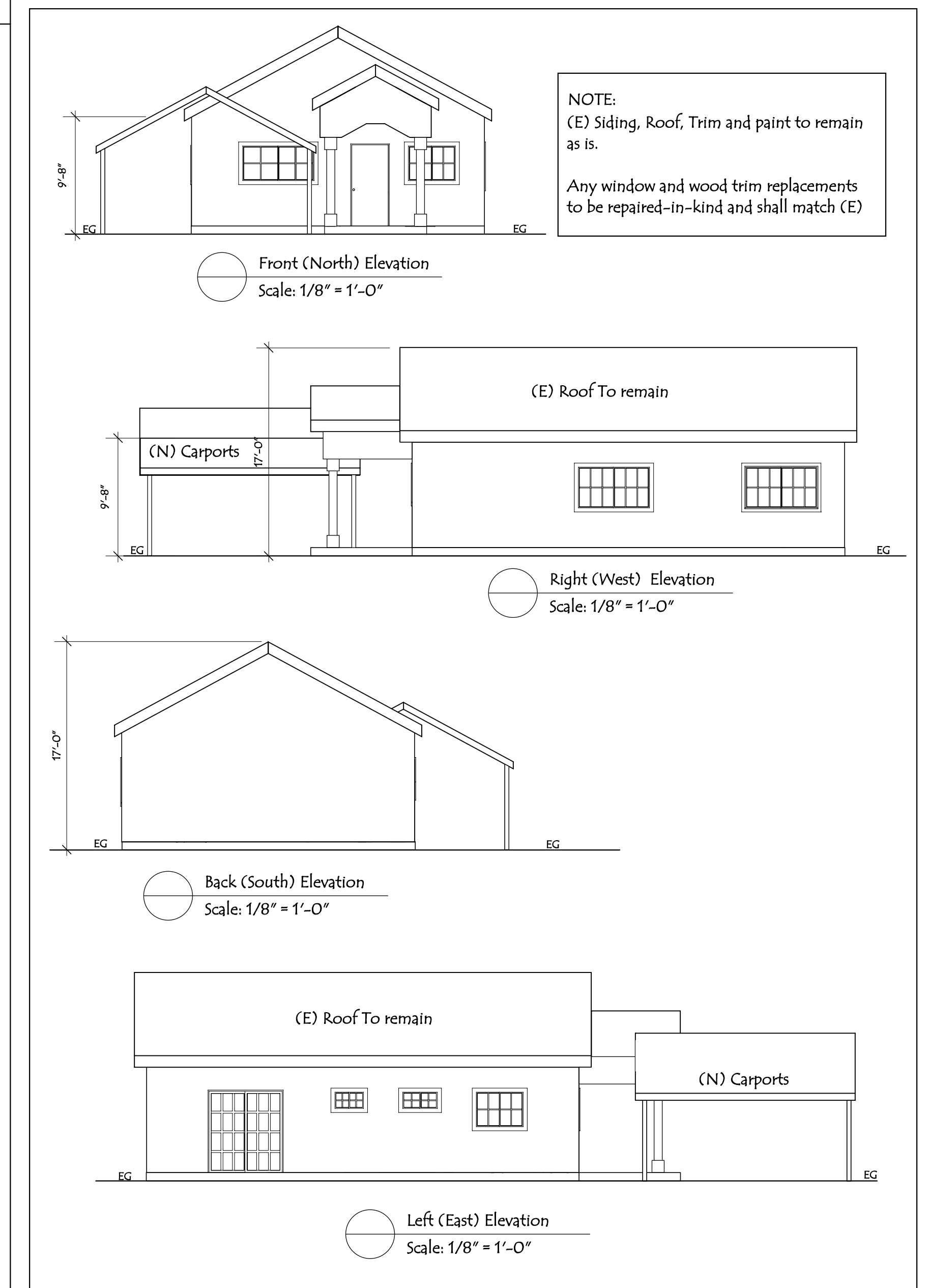
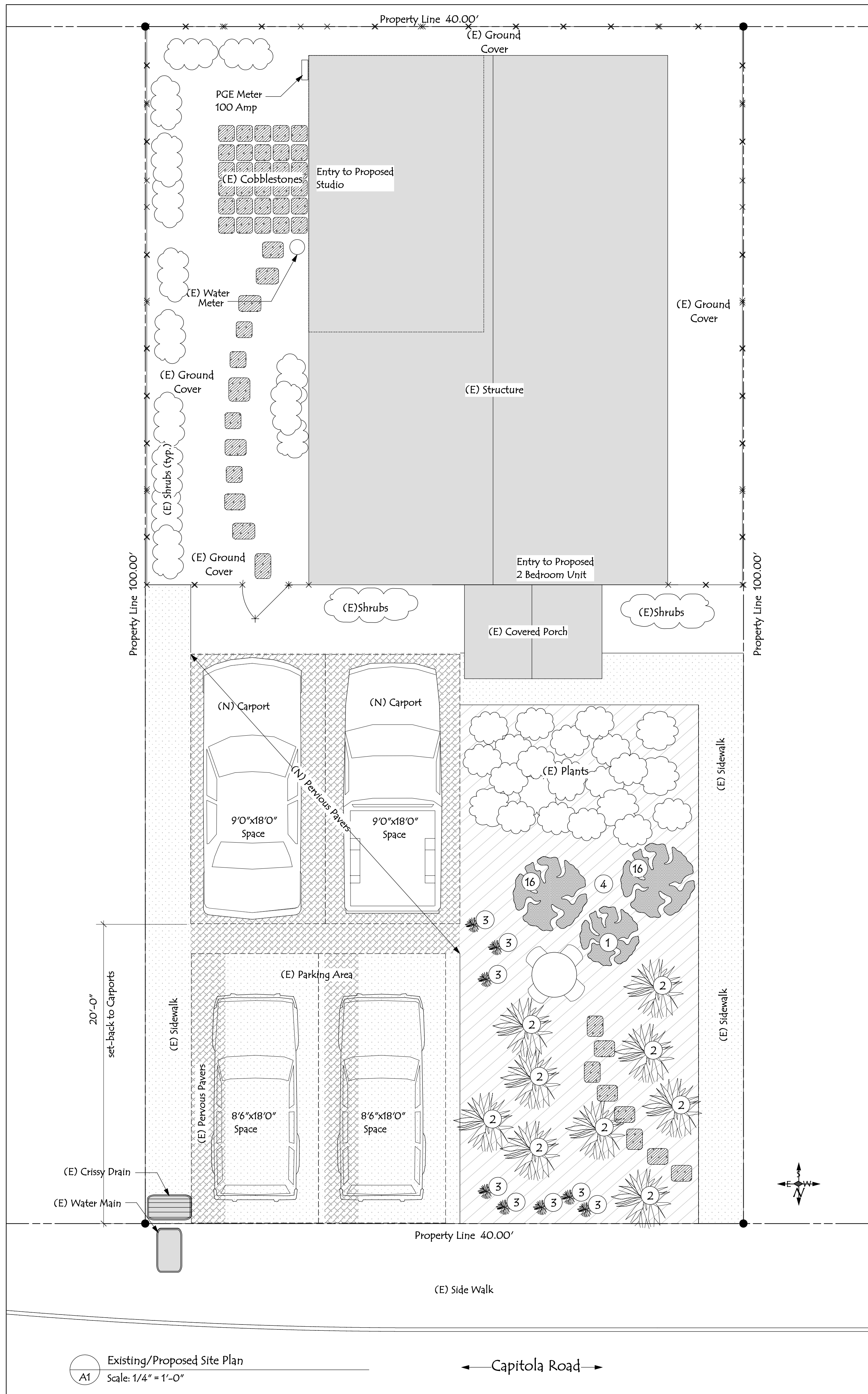
PLANNING COMMISSION AGENDA REPORT: June 6, 2013 4980 Capitola Road

ATTACHMENTS

- A. Project Plans
- B. Draft Minutes Excerpt, May 2, 2013

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

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	PLANT NAME	DESCRIPTION	SIZE	QTY.
①	CARPENTERIA CALIFORNICA/BUSH ANEMONE	CA Native 4' to 6' evergreen shrub, white flowers	5 gal.	1
②	CEONOTHUS "CONCA"/WILD LILAC	CA Native groundcover Ceonothus	5 gal.	9
③	IRIS DOUGLASSIANA/PACIFIC IRIS	CA Native Iris, many colors available, little water after established	1 gal.	8
④	PHILADELPHUS VIRGINIANA	CA Native, glossy green leaves, white, fragrant flowers	5 gal.	2

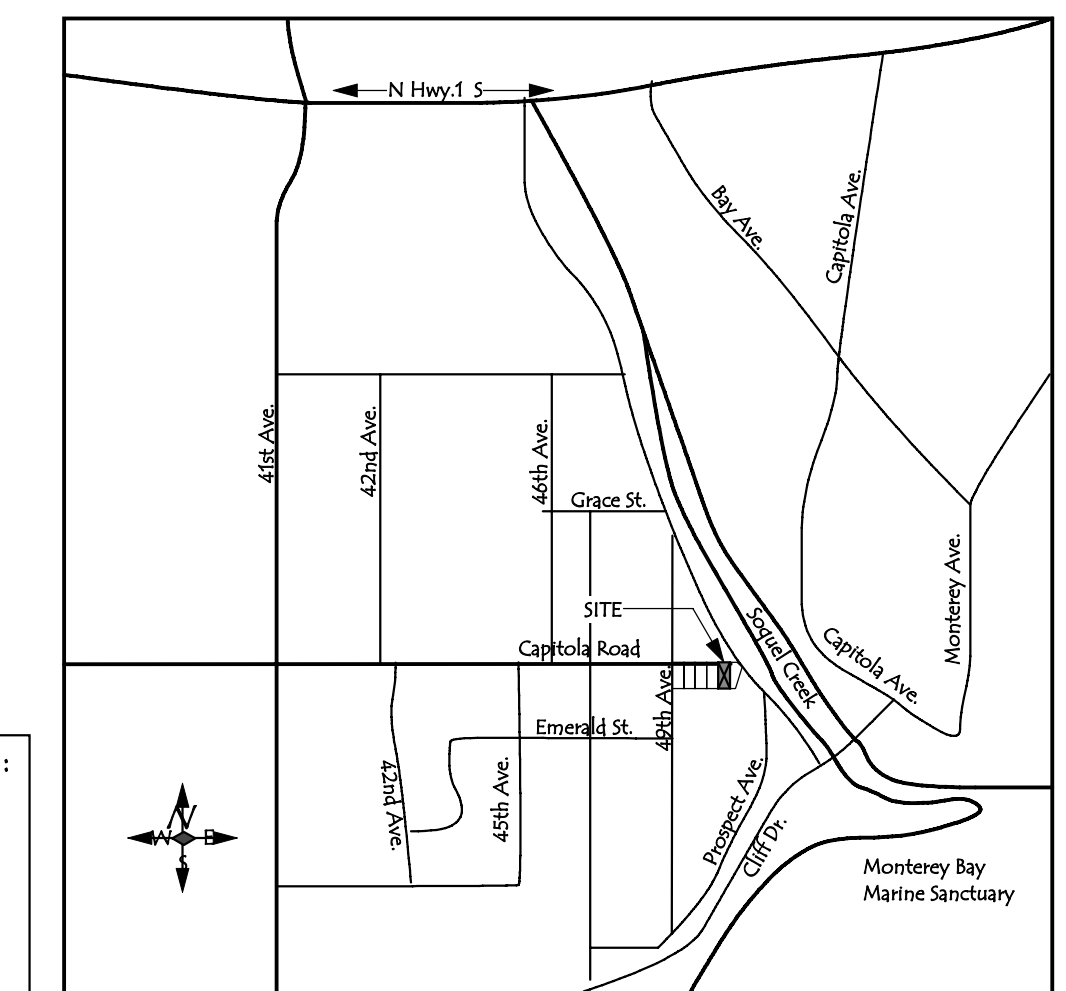
 :Indicates Redwood Bark ground cover

Occupancy: R-3
Const. type: Wood-framed,
Type VB, Non-sprinklered

PROJECT DESCRIPTION

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

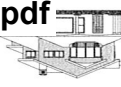
Plans are in compliance w/the following:
 2010 California Residential Code
 2010 California Mech. Code
 2010 California Elec. Code
 2010 California Energy Code
 2010 California Plumbing Code



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

APN: 034-041-07

SUSAN DEE CUMMINS
Building Design &



Existing, Proposed &
Electrical Floor Plans

Murphy Residence
4980 Capitola Road
Capitola, CA
APN: 034-041-07

Dty: SDC
Date: 12-28-09

A2

CSC 1607.1.1:
Handrail assemblies shall be able to resist a single concentrated load of 200 lbs. applied perpendicular to the handrail at any point. The structure to transfer this load to appropriate structural elements.

CSC 1812.2:
On open side of wall, handrail shall not be less than 42" measured vertically above the adjacent walling surface.

CSC 1817.2.2:
Handrails adjacent to a wall shall have a space of not less than 12" between wall and handrail.

CSC 1817.2.3.4:
Handrails with a circular cross section shall have an outside diameter of at least 1.25" & not greater than 2" or shall provide the equivalent graspability. If the handrail has a perimeter less than 4" it shall have a perimeter less than 4" & not greater than 6.25" with a max. cross section dimension of 2.25". Edges shall have a min. radius of 0.01".

CSC 1817.2.3.5:
Guards on open side of walling surface shall have intermediate railings spaced such that a person's center cannot pass through.

CSC 1817.2.3.6:
Handrails and less than 24" or more than 36" above the nosing of tread.

NOTES:
All New Glazing to be 4th Panel, Low E, Vinyl

1. NEW GLAZING SCHEDULE

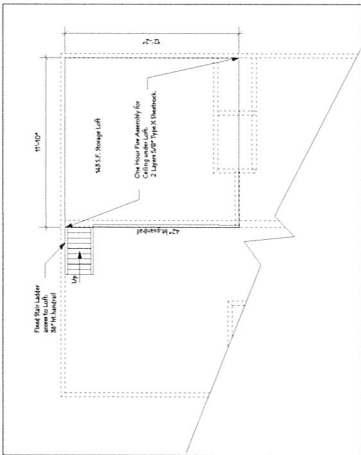
Item	Size	Door Style	Qty
(A)	10'0" x 8'0"	Sliding Window	1
(B)	10'0" x 8'0"	Sliding Window	1
(C)	10'0" x 8'0"	Sliding Window	1
(D)	10'0" x 8'0"	Sliding Window	1
(E)	10'0" x 8'0"	Sliding Window	1
(F)	10'0" x 8'0"	Sliding Window	1
(G)	10'0" x 8'0"	Sliding Window	1

2. NEW INTERIOR DOORS SCHEDULE

Item	Size	Door Style	Qty
(A)	2'0" x 8'0"	Sliding Door	1
(B)	2'0" x 8'0"	Sliding Door	1
(C)	2'0" x 8'0"	Sliding Door	1
(D)	2'0" x 8'0"	Sliding Door	1
(E)	2'0" x 8'0"	Sliding Door	1
(F)	2'0" x 8'0"	Sliding Door	1
(G)	2'0" x 8'0"	Sliding Door	1

GLAZING REMOVAL SCHEDULE

Item	Size	Door Style	Qty
(A)	10'0" x 8'0"	Sliding Window	1
(B)	10'0" x 8'0"	Sliding Window	1
(C)	10'0" x 8'0"	Sliding Window	1
(D)	10'0" x 8'0"	Sliding Window	1
(E)	10'0" x 8'0"	Sliding Window	1
(F)	10'0" x 8'0"	Sliding Window	1
(G)	10'0" x 8'0"	Sliding Window	1



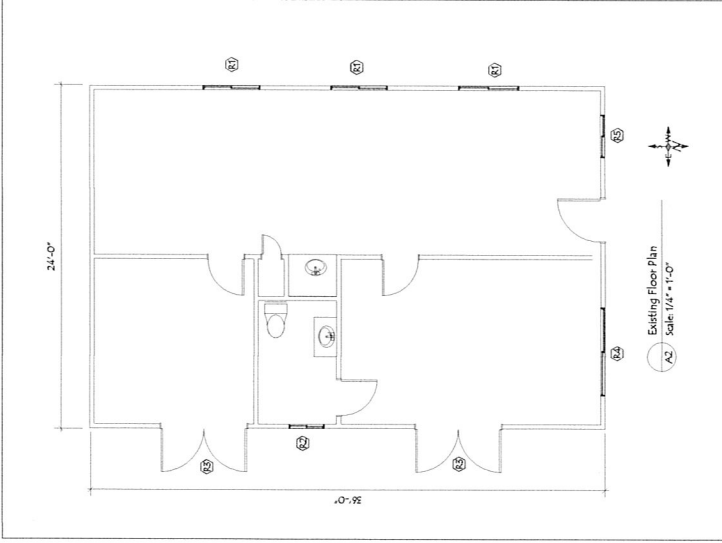
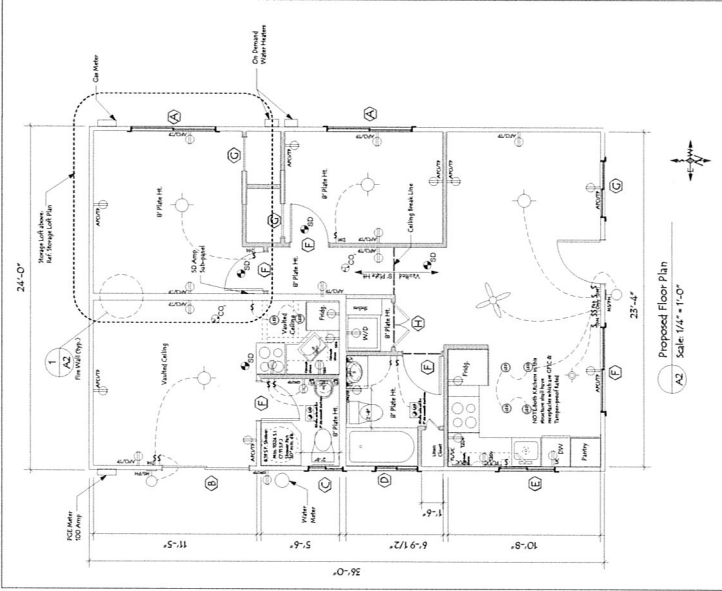
Loft Floor Plan
A2 Scale 1/4" = 1'-0"

TITLE 24 LEGEND

MS/PH: Motion Sensor/Photo Controllable
LED LED Light Fixtures
Exhaust fan
Overhead light fixture
Pendant light fixture
Under Cabinet Fluorescent Lighting
Dimmer Switch
3 way switch
Smoke detector w/ 110V battery back-up
Carbon Monoxide detectors
NOTE: Follow manufacturer's instructions for installation.

Notes:

- 1. All new electrical work shall be in accordance with the 2008 California Electrical Code (CEC) and the 2008 California Building Code (CBC).
- 2. All new electrical work shall be installed in accordance with the 2008 California Electrical Code (CEC) and the 2008 California Building Code (CBC).
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- 7. All new electrical work shall be installed in accordance with the 2008 California Electrical Code (CEC) and the 2008 California Building Code (CBC).
- 8. All new electrical work shall be installed in accordance with the 2008 California Electrical Code (CEC) and the 2008 California Building Code (CBC).
- 9. All new electrical work shall be installed in accordance with the 2008 California Electrical Code (CEC) and the 2008 California Building Code (CBC).
- 10. All new electrical work shall be installed in accordance with the 2008 California Electrical Code (CEC) and the 2008 California Building Code (CBC).



One Hour Fire Wall required between Studio & Main Unit:

- 5/8" Type X Sheetrock, both sides
- 2x4's staggered @ 16" o.c. w/ 4" depth wall
- R-13 Insulation
- Resilient furring channels applied at right angles, 16" o.c.

1. Fire Rated Wall Detail
A2 Scale 1" = 1'-0"

EXCERPT DRAFT MINUTES MAY 2, 2013

4. CONSENT CALENDAR

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

Design Permit to convert an existing office use into a duplex in the CR Commercial/Residential) Zoning District.

Environmental Determination: Categorical Exemption

Owner: Mark Murphy

Applicant: Thomas Branagan, filed: 4/5/13

Commissioner Smith recused herself because she owns property close to the project.

Chairperson Routh explained that he pulled the item from the consent agenda because of the lack of landscaping as a residential unit. He suggested the commission add a condition to remove two of the four open parking spaces in front for landscaping and recommended continuing the item for a landscaping plan.

Tom Branagan represented the applicant and confirmed that the current parking plan reflects six parking spaces, two of which are covered. He said the property owner would likely agree to remove parking for more landscaping.

Commissioner Ortiz suggested a compromise with one space replaced with landscaping. Mr. Branagan said he will discuss the possibility with the owner and agreed with commissioners that the parking spot on the far right was a likely candidate for removal.

Commissioner Graves said he feels that the four spaces across the front looks like a sea of parking and he will want to review how much the landscaping softens the appearance before he could promise to support the removal of only one space.

Commissioner Welch asked for the landscaping requirement for the CR (Commercial Residential) zone, and Interim Planner Danielle Uharriet responded it is two feet on either side of the drive. She also confirmed that unlike the CN district, the CR zoning does not hold residential uses to different standards. Commissioner Graves asked for a reference to that difference in the code and when it was enacted.

A motion to continue project application #13-045 to June 6, 2013, was made by Commissioner Graves and seconded by Commissioner Ortiz.

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

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STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: JUNE 6, 2013

SUBJECT: **305 FANMAR WAY #13-026 APN: 035-161-14**

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

Environmental Determination: Categorical Exemption

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

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

Applicant: Derek Van Alstine

APPLICANT'S PROPOSAL

The applicant is proposing to remodel the interior of the existing single family residence and construct additions on the first floor with a deck addition on the second floor at 305 Fanmar Way in the RM-LM (Multiple Family-Low-Medium) zoning district. The use is consistent with the General Plan, Zoning Ordinance and Local Coastal Plan.

STRUCTURAL DATA				
SETBACKS		Required	Existing	Proposed
Front Yard				
	1 st Story	15'	2'	2'
	2 nd Story	20'	2'	24'
Rear Yard				
	1 st Story	16'	34'-6"	34'-6"
	2 nd Story	16'	34'-6"	32'
Side Yard				
	1 st Story	4'-6"	0' (left) 17'-3" (right)	0' (left) 13'-1 1/2" (right)
	2 nd Story	6'-9"	0' (left) Varies from 17'-3" to 19'-1 1/2" (right)	0' (left) Deck 17'-1" (right)
HEIGHT		25'	19'-0"	22'-6"

<u>FLOOR AREA RATIO</u>	Lot Size	MAX (55%)	Proposed (51%)	
	3,600 sq. ft.	1,980 sq. ft.	1,825 sq. ft.	
	Habitable Space	Garage	Decks	Total
First Story	1,009 sq. ft.	210 sq. ft.	0 sq.ft.	1,219 sq. ft.
Second Story	362 sq. ft.		244 sq. ft.	606 sq. ft.
TOTAL	1,371 sq. ft.	210 sq. ft.	244 sq. ft.	1,825 sq. ft.
<u>PARKING</u>	Existing	Required	Proposed	
	1 covered space	2 off-street spaces, one of which must be covered	1 covered space 1 uncovered space	
Total	1 space	2 spaces	2 spaces	

BACKGROUND AND DISCUSSION

On April 4, 2013, the Planning Commission continued the project application and requested the applicant install netting to show the outline of the proposed size and height of the additions. The following issues and concerns were raised by the Commission (Attachment B):

- Overall mass of the home;
- Proposed building height;
- Netting the residence to evaluate the impact of height and mass;
- Reduced construction hours

The applicant has incorporated the following changes in response to the Commission's issues and concerns:

- Reduced the floor area ratio
- First floor remodel with a 115-square-foot living room, with fireplace;
- Removed the second floor addition and proposed a 244-square-foot deck and stairs;
- Reduced the building height from 27'-0" to 22'-6";

The first floor addition has increased from 71 square feet to 115 square feet, enclosing the proposed fireplace within the building elevation. The floor-area ratio has been reduced from 1,974 square feet and 55% to 1,825 square feet and 51%.

The second floor addition has been eliminated, and a 244-square-foot deck and stairs are proposed. The proposed deck will be accessed from an existing second floor deck, adjacent to the master bedroom.

The proposed maximum building height has been reduced from 27'-0" to a maximum building height of 22'-6" at the highest point of the roof, and 25'-0" at the top of the chimney.

The proposed design revisions have eliminated the second floor addition, reducing both the height and mass; therefore the applicant has not placed netting on the site.

PLANNING COMMISSION AGENDA REPORT: June 6, 2013 305 Fanmar Way

The Commission discussed revised construction hours to be Monday to Friday 7:30 a.m.–6 p.m., and Saturday 9 a.m.– 4 p.m, No construction is permitted on Sunday. Condition #3 has been revised to reflect the modified hours.

CEQA REVIEW

Section 15303(a) of the CEQA Guidelines exempts the construction of a single-family residence in a residential zone. This project involves remodel of an existing single-family residence in the RM-LM (Multi-Family Low-Medium) Zoning District. No adverse environmental impacts were discovered during review of the proposed project

RECOMMENDATION

Staff recommends that the Planning Commission approve application #13-026, subject to the following conditions and based upon the following findings:

CONDITIONS

1. The project approval is to remodel and construct one-story and two-story additions to an existing two-story single-family residence at 305 Fanmar Way in the R-1 (Single Family Residence) zoning district.
2. Any significant modifications to the size or exterior appearance of the structure must be approved by the Planning Commission.
3. Hours of construction shall be Monday to Friday 7:30 a.m. – 6:00 p.m., and Saturday 9:00 a.m. – 4:00 p.m.
4. An encroachment permit shall be acquired for any work performed in the right-of-way.
5. A drainage plan or design shall be submitted with the final building plans, to the satisfaction of the Public Works Director.
6. The final landscape plan shall be submitted with the building permit application and will include the specific number of plants of each type and their size, as well as the irrigation system to be utilized. Front yard landscaping shall be installed prior to final building occupancy.
7. Prior to final occupancy, the kitchen in the lower level/basement area shall be removed. All electrical and plumbing, including any gas line, shall be removed to the satisfaction of the Building Official.
8. Prior to granting of final occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Zoning Administrator or Community Development Director.

FINDINGS

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

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

PLANNING COMMISSION AGENDA REPORT: June 6, 2013 305 Fanmar Way

the development standards of the R-1 (Single Family Residence) Zoning District. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance, General Plan and Local Coastal Plan.

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

Planning Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project generally conforms to the development standards of the R-1 (Single Family Residence) Zoning District. Conditions of approval have been included to ensure that the project maintains the character and integrity of the neighborhood.

C. 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.

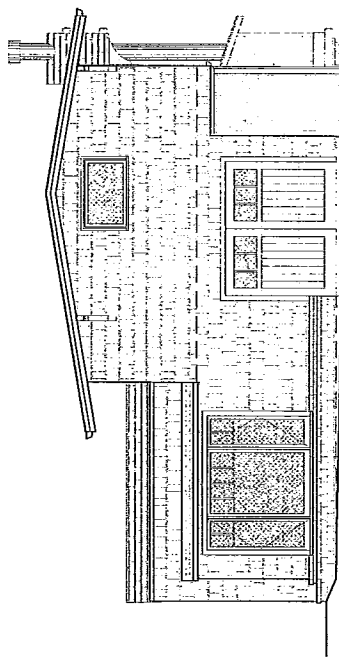
This project involves the remodel of an existing single-family residence in the R-1 (single family residence) Zoning District. Section 15301 of the CEQA Guidelines exempts alterations to existing single-family residences in a residential zone.

ATTACHMENTS

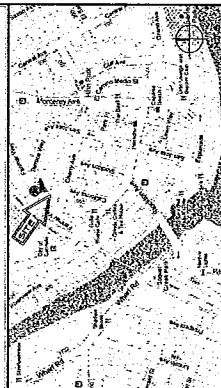
- A. Project Plans
- B. Excerpt of Planning Commission Minutes from April 4, 2013
- C. Letter from Jack and Patricia Darrough, dated April 21, 2013
- D. Staff Report from April 4, 2013

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

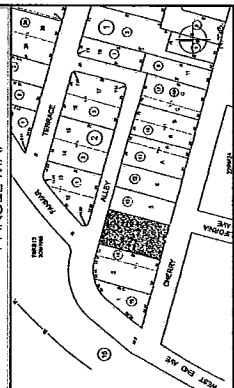
WILK RESIDENCE



VICINITY MAP



PARCEL MAP



BUILDING INFORMATION SUMMARY

PROJECT DESCRIPTION:		219 SQUARE FOOT ADDITION TO AN EXISTING 1,466 SQUARE FOOT SINGLE FAMILY DWELLING WITH ATTACHED GARAGE AND DRIVELANE	
PROJECT ADDRESS:		305 FANMAR WAY CAPITOLA, CA 95010	
PASCEL NUMBER:		035-1151-14	
OCCUPANCY TYPE:		RM-1A	
SETBACK INFORMATION:			
FIRST FLOOR:		FRONT YARD	15'-0"
SECOND FLOOR:		SIDE YARD	4'-0"
LOT AREA:		REAR YARD	16'-0"
PROPOSED FLOOR AREA:			16'-0"
GARAGE:		EXISTING	3,400 SQ. FT.
FIRST FLOOR AREA:		PROPOSED	219 SQ. FT. NO CHANGE
SECOND FLOOR AREA:		EXISTING	1,009 SQ. FT.
TOTAL FLOOR AREA:		PROPOSED	1,228 SQ. FT.
FLOOR AREA RATIO:		EXISTING	34.9%
F.A.R. PERMITTED:		PROPOSED	35.5% (0.35 x 3,400 = 1,190 SQ. FT.)
EXISTING PARKING:			
PARKING (PROVIDED):			
CODE NOTE:			

CONTACTS

OWNER:	PROJECT DESIGNER:
WILK RESIDENCE	DEREK VAN ALSTINE
305 FANMAR WAY	305 FANMAR WAY
CAPITOLA, CA 95010	CAPITOLA, CA 95010
TEL: (831) 425-4444	TEL: (831) 425-4444
FAX: (831) 425-4444	FAX: (831) 425-4444
derk@vanalstine.com	derk@vanalstine.com
STRUCTURAL ENGINEER:	ENERGY COMPLIANCE:
WILK RESIDENCE	WILK RESIDENCE
305 FANMAR WAY	305 FANMAR WAY
CAPITOLA, CA 95010	CAPITOLA, CA 95010
TEL: (831) 425-4444	TEL: (831) 425-4444
FAX: (831) 425-4444	FAX: (831) 425-4444
derk@vanalstine.com	derk@vanalstine.com
LANDSCAPE ARCHITECT:	
WILK RESIDENCE	
305 FANMAR WAY	
CAPITOLA, CA 95010	
TEL: (831) 425-4444	
FAX: (831) 425-4444	
derk@vanalstine.com	

DRAWING INDEX

BUILDING DESIGN	
T1 TITLE SHEET	
T2 STREETSCAPE	
A1 SITE PLAN	
A2 EXISTING FLOOR PLAN	
A3 PROPOSED SECOND FLOOR ROOF PLAN	
A4 PROPOSED SECOND FLOOR ROOF PLAN	
A5 PROPOSED EXTERIOR ELEVATION	
A6 PROPOSED EXTERIOR ELEVATION	
L1 LANDSCAPE PLAN	

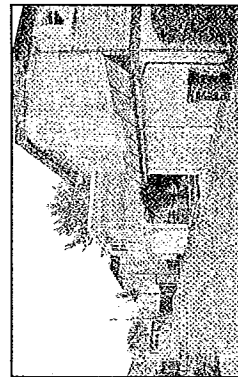
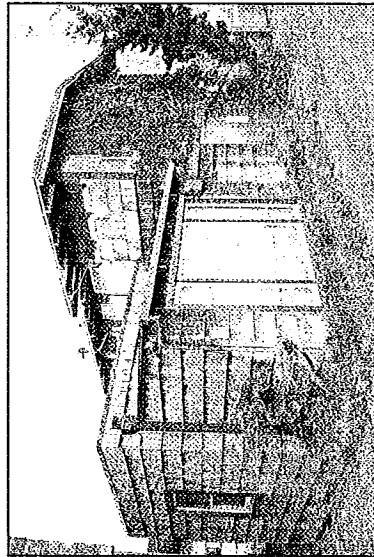
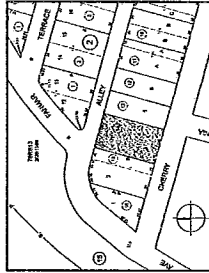
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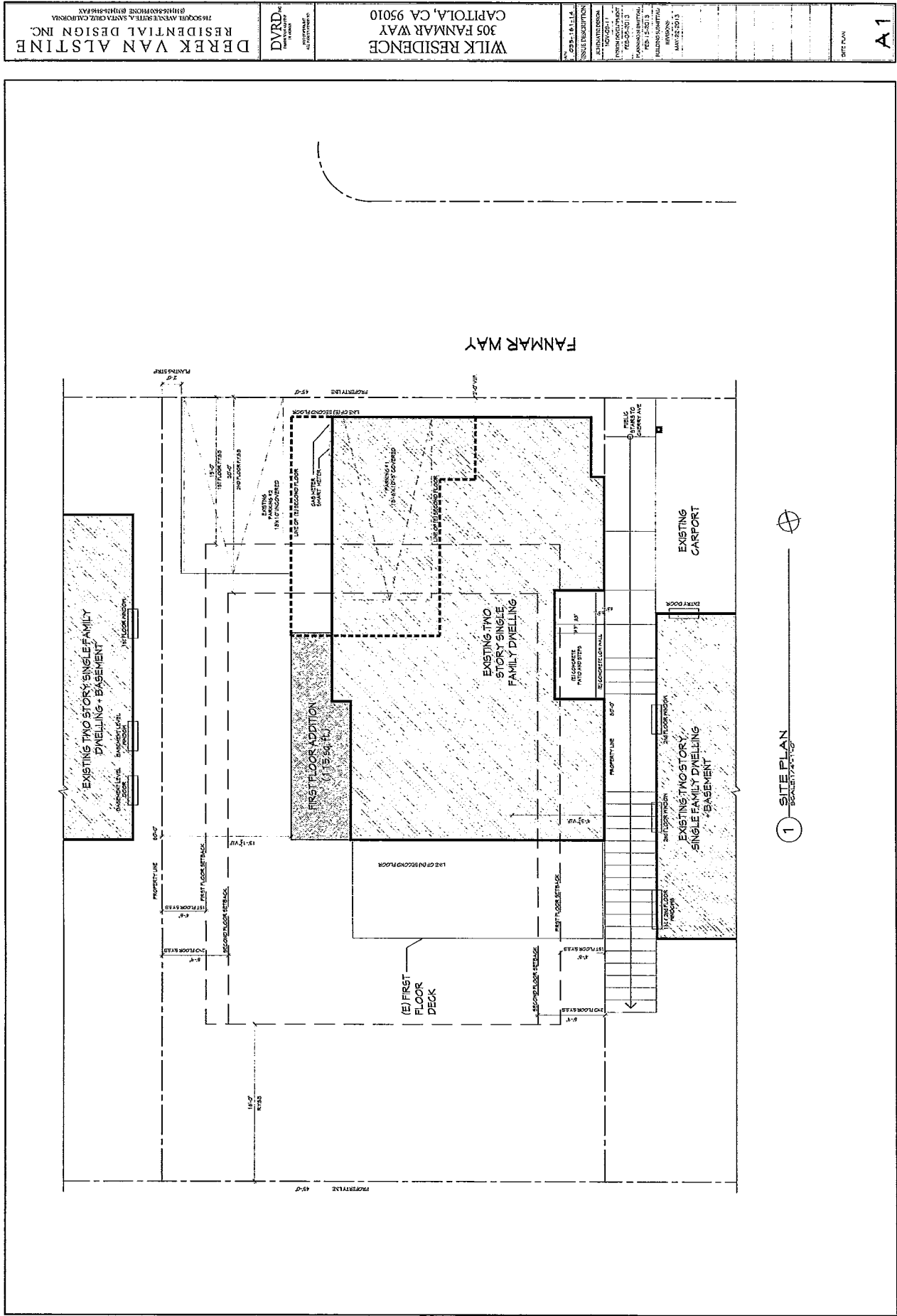
CITY OF CAPITOLA



1 STREETScape - NORTH SCALE NONE

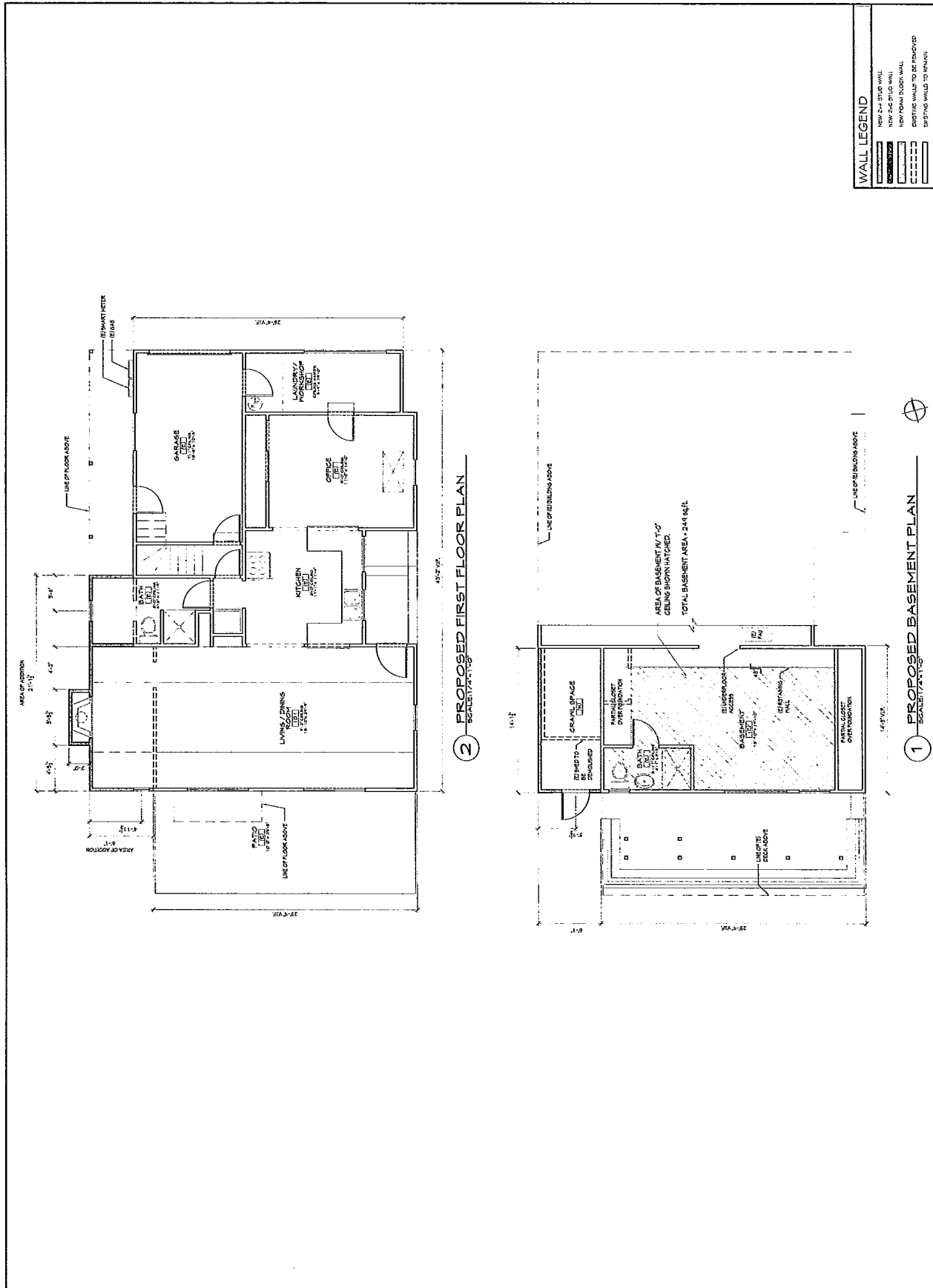


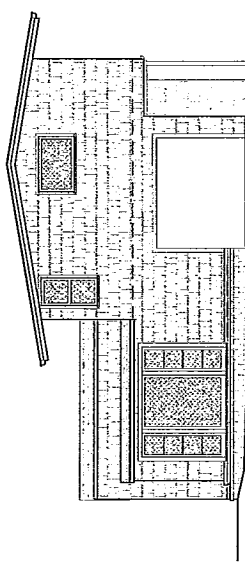
2 STREETSCAPE - SOUTH SCALE NONE



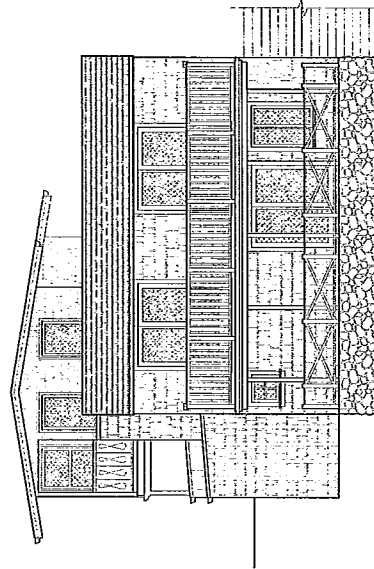


DEREK VAN ALSTINE RESIDENTIAL DESIGN INC. 11650 DEL ANTE BLVD, SUITE 100 SAN ANTONIO, TEXAS 78240	DVRD DESIGN RESIDENTIAL ARCHITECTURE 11650 DEL ANTE BLVD, SUITE 100 SAN ANTONIO, TEXAS 78240	WILK RESIDENCE 305 PANMAR WAY CAPITOLA, CA 95010		DATE: 11.14.14
		PROJECT DESCRIPTION: NEW 2-1/2 STORY RESIDENTIAL PROJECT NO. 2013 TRACING: 11.14.2013 REVISIONS: 11.14.2013 BY: DVA DATE: 11.14.2013		PROJECT NO. 2013

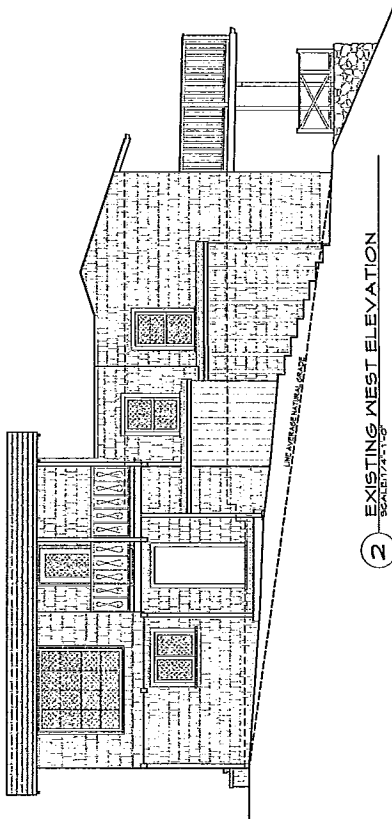




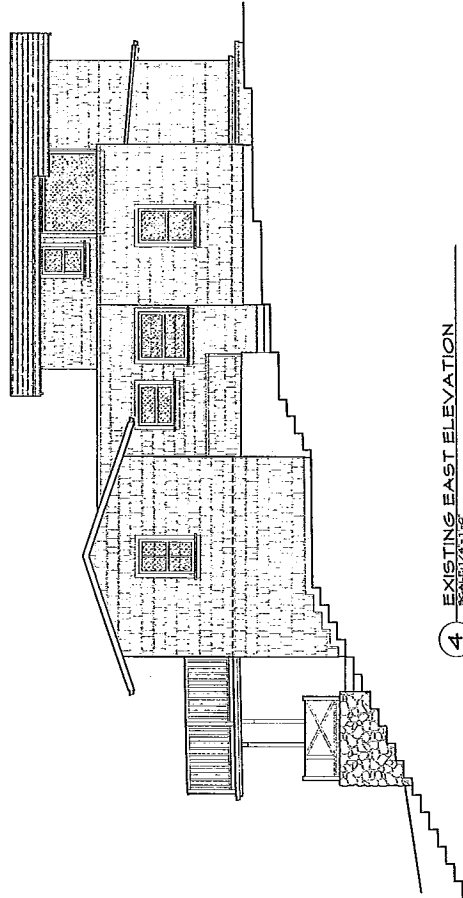
1 EXISTING NORTH ELEVATION
SCALE: 1/4"=1'-0"



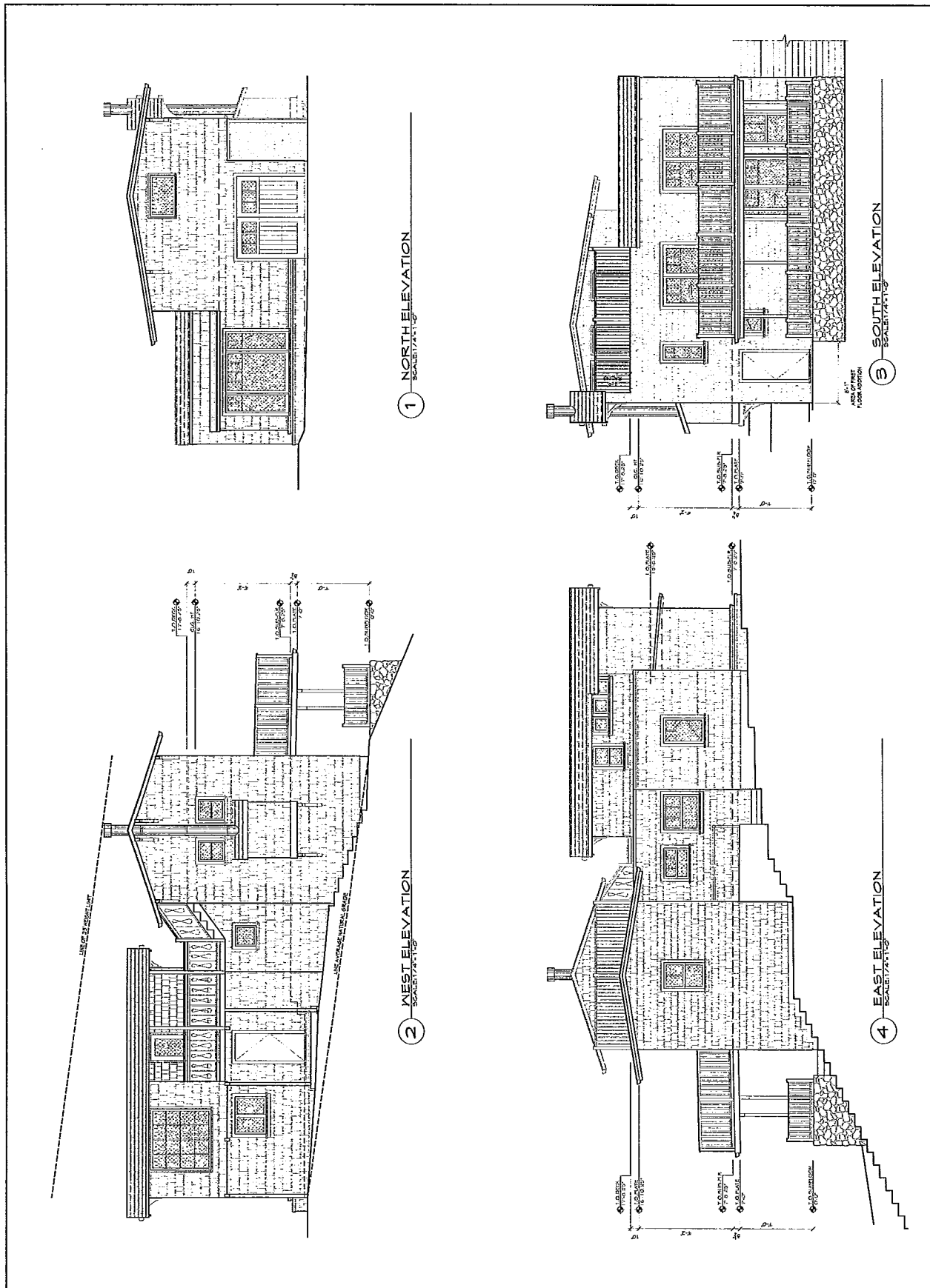
3 EXISTING SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

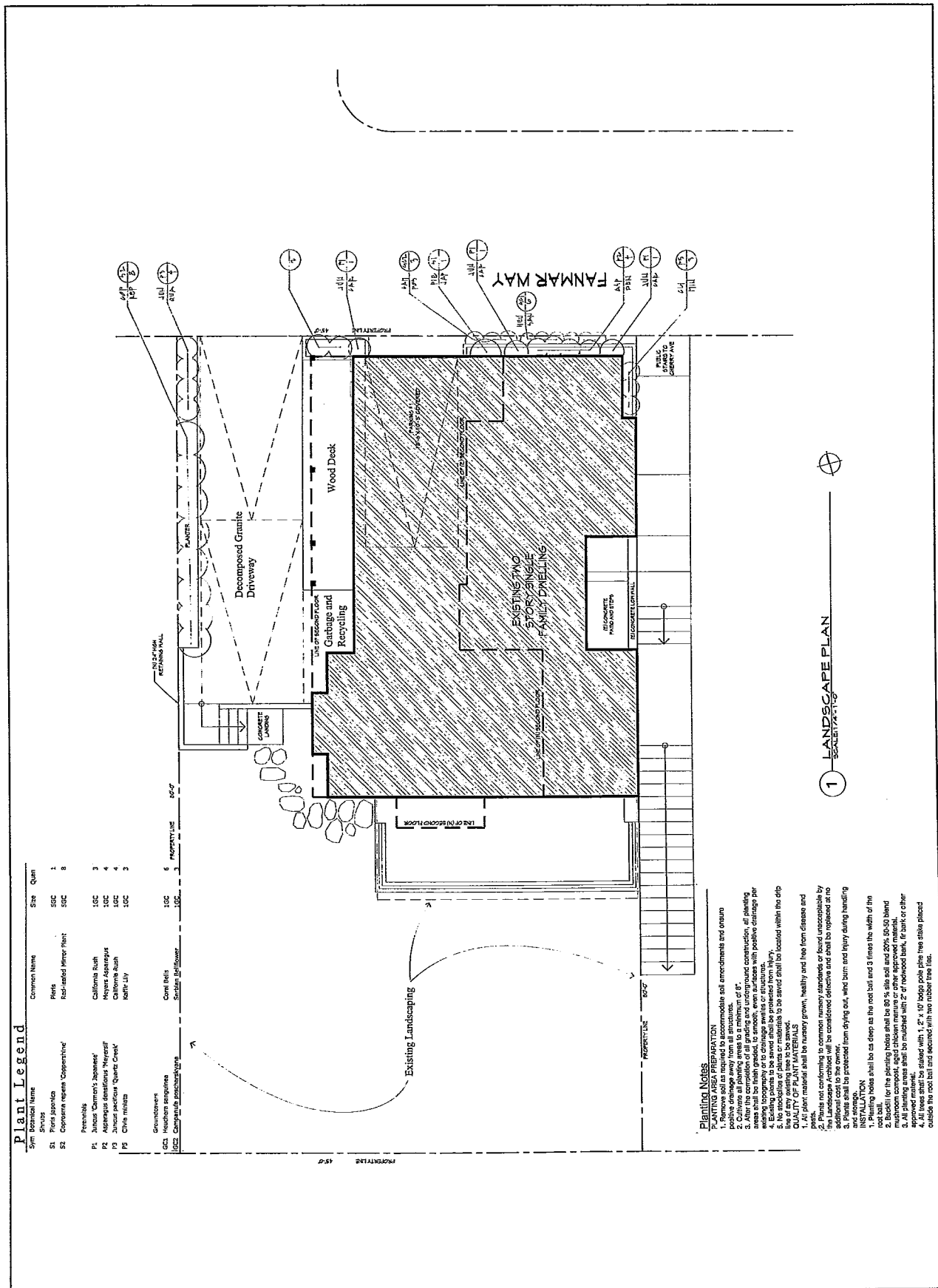


2 EXISTING WEST ELEVATION
SCALE 1/4"=1'-0"



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

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**EXCERPT MINUTES
PLANNING COMMISSION
APRIL 4, 2013**

5. PUBLIC HEARINGS

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

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

Environmental Determination: Categorical Exemption

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

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

Applicant: Derek Van Alstine

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

Architect Derek Van Alstine offered to answer questions about the project. Commissioner Smith asked how the 27-foot height was determined since different plans appeared to have different numbers. Mr. Van Alstine explained that the 27 feet is from the assumed grade while the new illustration reflects the view from Fanmar. He noted the house on this parcel sits further back from Cherry than its neighbors, all of which are a full three stories. The height will appear the same from the street, but higher from grade line. He stated it is designed to have no change in appearance of mass from Fanmar, and from Cherry the appearance of mass will be less than neighboring homes because it is set further back.

Commissioner Ortiz commended the completeness of the plans.

Chairman Routh opened the public hearing.

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

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

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

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

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

Chairman Routh closed the public hearing.

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

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

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

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

Commissioner Welch said he would also support the reduced hours.

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

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

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

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

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

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

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

Commissioners Graves also supported asking for netting.

Chairman Routh called the question.

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

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

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

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RECEIVED

APR 24 2013

CITY OF CAPITOLA

Dt: April 21, 2013

To: City of Capitola Planning Commissioners:
 Mick Routh – Chair
 Ron Graves
 Gayle Ortiz
 Linda Smith
 T.J. Welch

Re: 305 Fanmar Way, Remodel plans

Dear Commissioners,

Jack and I have lived in both adjacent homes of the 305 Fanmar Way planned remodel. We are looking forward to this renovation of the property after several years of neglect. Currently, our home is on the western side. After listening to the meeting of the Planning Commission on April 4, 2013, Jack and I do have several concerns:

- A. The height and width of the remodel at 305 Fanmar Way will impact our residence the most. Our house sets back from Fanmar Avenue by approximately 15 feet and is a one story with an apartment below. **We are requesting the avocado tree that stands west at the end of Mr. Wilkes deck be removed because:**
 - a. It is not a native tree.
 - b. This particular species can grow up to 80 to 90 feet.
 - c. The tree trunk, which is 48" in diameter, stands within 3 feet from the end of our house. In addition to the height and width of the remodel, the position and density of this tree will leave us with considerable less light, especially in the winter months.
 - d. This tree bears little fruit and when it does it becomes a magnet for raccoons, squirrels and rodents.
 - e. The recommended planting of this tree is 30 feet from sidewalks and foundations. This tree is 9 feet from our walkway and 12 feet from our foundation.
 - f. Vegetation cannot survive under the canopy and beyond because the shallow root system growing in every direction. This prevents any creative landscaping on the remaining space.
 - g. The only historical item about the property is the *original* stone wall on the south end. That wall would be in danger of failure due to the root system spreading and other badly neglected junipers.
 - h. We have spent nearly \$2000 for tree services with the last two owners to keep this neglected property in somewhat order.
 - i. This tree is an evergreen shedding it's leaves continually and not decomposing easily. We narrowly averted a catastrophe this year in our dining room and porch because the avocado leaves plugged our

down spouts and gutters. Rain water pooled on the roof and could not drain off. It took over an hour for the roof to drain. Now we also have the added expense of hiring a person for cleaning gutters and checking regularly the condition of the roof. The pooling the rain water on our roof only came to our attention because a stranger came to our door to inform us.

- B. Not only has the house deteriorated over the last several years, but the yard also. Is a Landscaping plan included with the Building plan?
- C. What is the plan for the garbage and recycling cans? As of now, our view from the living room and patio includes the cans behind a very dead wisteria vine.
- D. What material will be used in the driveway and what will be the grade?
- E. Has any commissioner employed the architect, contractor or design firm that the applicant is using or will use? If so, would that be considered a conflict of interest?
- F. How will the noise of the exhaust fan and the safety of the unpermitted forced air furnace be addressed?

Jack and I want to thank the Commissioners for the sensitivity regarding the construction hours. After 35 years we continue to love living in this Capitola neighborhood.

Sincerely.



Jack and Patricia Darrough
303 Fanmar Way
Capitola, CA 95010
(831) 475-6917



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: APRIL 4, 2013

SUBJECT: **305 FANMAR WAY #13-026 APN: 035-161-14**

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

Environmental Determination: Categorical Exemption

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

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

Applicant: Derek Van Alstine

APPLICANT'S PROPOSAL

The applicant is proposing to remodel the interior of the existing single family residence and construct additions on the first and second floors at 305 Fanmar Way in the RM-LM (Multiple Family-Low-Medium) zoning district. The use is consistent with the General Plan, Zoning Ordinance and Local Coastal Plan.

STRUCTURAL DATA				
SETBACKS		Required	Existing	Proposed
Front Yard				
	1 st Story	15'	2'	n/a
	2 nd Story	20'	2'	24'
Rear Yard				
	1 st Story	16'	34'-6"	34'-6"
	2 nd Story	16'	34'-6"	32'
Side Yard				
	1 st Story	4'-6"	0' (left) 17' (right)	0'" (left) 17' (right)
	2 nd Story	6'-9"	0' (left) 14'-7 1/2" (right)	0' (left) 13'-1 1/2" (right)
HEIGHT		25' or 27' may be permitted with Planning Commission approval	17'-0"	27'-0"

<u>FLOOR AREA RATIO</u>	Lot Size	MAX (55%)	Proposed (55%)	
	3,600 sq. ft	1,980 sq. ft.	1,974 sq. ft	
	Habitable Space	Garage	Decks	Total
First Story	959 sq. ft.	210 sq. ft.	0 sq.ft.	1,169 sq. ft.
Second Story	805 sq ft.		257.50 sq. ft.	1,062.50 sq ft.
TOTAL	1,764 sq. ft.	210 sq. ft.	257.50 sq. ft.	1,974 sq. ft.
<u>PARKING</u>	Existing	Required	Proposed	
	1 covered space	2 off-street spaces, one of which must be covered	1 covered space 2 uncovered spaces	
Total	1 space	2 spaces	3 spaces	

BACKGROUND

On March 13, 2013, the Architectural and Site Review Committee reviewed the application.

- Public Works Director Steve Jesberg stated the driveway and parking area should be constructed of a porous paving material.
- City Architect Frank Phantom requested the site plan show the adjacent buildings with the window locations. He supported the proposal and removal of the basement unit.
- City Landscape Architect Susan Suddjian recommended removal of the juniper in the southern corner of the lot and drought tolerant landscaping in the parking areas.
- Building Inspector Brian VanSon supported removal of the basement kitchen and recommended any unpermitted plumbing and electrical be removed. The basement area is considered unconditioned space.
- Interim Senior Planner Danielle Uharriet requested construction costs to document that the project would not exceed the limitations required for improvement to a nonconforming structure, numerous corrections to the drawings, adequate room labels, removal of the illegal unit, and a landscape plan.

The applicant has addressed the concerns and changes suggested by the Architectural and Site Review Committee.

DISCUSSION

The subject property is a 3,600 square foot lot in the RM-LM (Multiple Family-Low –Medium) zoning district, but single family homes on a site in the R-M district shall be governed by the R-1 district standards.

The existing 1,466 square foot two-story house is proposed to be remodeled, with a 71 square foot first floor addition and a 443 second floor addition. The existing attached 210 square foot one car garage will remain as one covered on-site parking space. The 249 square foot lower level/basement area is an illegal unit with a full bath and kitchen. The bathroom will remain, but the kitchen will be removed as part of the proposed project. A mini bar/convenience area would not be allowed without an internal access within the residence. Finally, secondary dwelling units are not permitted in the R-M zoning district. A condition has been included to require a

PLANNING COMMISSION AGENDA REPORT: April 4, 2013 305 Fanmar Way

deed restriction be recorded prior to issuance of a building permit, limiting the use of the lower level/basement area.

The following is a summary of the proposed improvements:

- First floor 71 square foot living room, with fireplace, addition;
- Second floor remodel of a 443 square foot master bedroom with window seat, bathroom and closet addition;
- Modifying and raising the existing roof systems approximately 10'-0";
- New parking area, garbage and recycling area and upgraded landscaping along Fanmar Way.

The proposed improvements upgrade the existing home and site to be more consistent and compatible with the scale and mass of the surrounding neighborhood. The addition of a third on-site uncovered parking space and improved parking area is a benefit to the neighborhood and upgrades the front yard area with landscaping.

Nonconforming

The structure is legal nonconforming due to not meeting current front and first floor side yard setbacks. Per 17.72.070, structural alterations to nonconforming structures are limited to 80% of the present fair market value of the structure. The applicant has provided a construction cost breakdown (Attachment B) that demonstrates how the proposed project will not exceed 80% of the present fair market value of the structure. The Building Official has reviewed the calculations and determined them to be accurate. The new additions to the residence meet the current R-1 district development standards.

Building Height

Per Section 17.15.080, the maximum building height is 25', although a 27' height limit may be permitted by the planning commission for half-story designs and buildings that use historic design elements which meet the applicable side and rear setback standards.

Building height is defined as the vertical distance measured from the assumed ground surface of the building to the highest point of the roof, ridge or parapet wall. Assumed ground surface is defined as a line on each elevation of an exterior wall or vertical surface which connect those points where the perimeter of the structure meets the finished grade.

The existing building height is 17'-0" and the proposed building height is 27'-0". The proposed second floor addition utilizes traditional design elements to create a consistent building line along the west elevation and that exceed the required side yard setback standards.

CEQA REVIEW

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

RECOMMENDATION

Staff recommends that the Planning Commission approve application #13-026, subject to the following conditions and based upon the following findings:

PLANNING COMMISSION AGENDA REPORT: April 4, 2013 305 Fanmar Way

CONDITIONS

1. The project approval is to remodel and construct a one-story and two-story additions to an existing two-story single-family residence at 305 Fanmar Way in the R-1 (Single Family Residence) zoning district.
2. Any significant modifications to the size or exterior appearance of the structure must be approved by the Planning Commission.
3. Hours of construction shall be Monday to Friday 7:30 a.m. – 9:00 p.m., and Saturday 9:00 a.m. – 4:00 p.m., per city ordinance.
4. An encroachment permit shall be acquired for any work performed in the right-of-way.
5. A drainage plan or design shall be submitted with the final building plans, to the satisfaction of the Public Works Director.
6. The final landscape plan shall be submitted with the building permit application and will include the specific number of plants of each type and their size, as well as the irrigation system to be utilized. Front yard landscaping shall be installed prior to final building occupancy.
7. Prior to issuance of a building permit, the property owner shall enter into and record a deed restriction limiting the use of the lower level/basement area.
8. Prior to final occupancy, the kitchen in the lower level/basement area shall be removed. All electrical and plumbing, including any gas line, shall be removed to the satisfaction of the Building Official.
9. Prior to granting of final occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Zoning Administrator or Community Development Director.

FINDINGS

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

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

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

Planning Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project generally conforms to the development standards of the R-1 (Single Family Residence) Zoning District. Conditions of approval have been included to ensure that the project maintains the character and integrity of the neighborhood.

PLANNING COMMISSION AGENDA REPORT: April 4, 2013 305 Fanmar Way

- 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.**

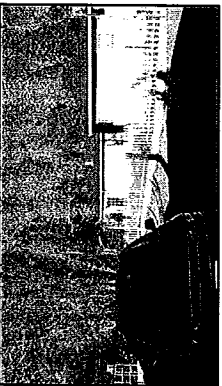
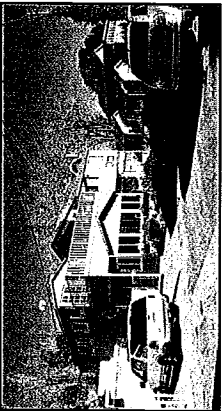
This project involves the remodel of an existing single-family residence in the R-1 (single family residence) Zoning District. Section 15301 of the CEQA Guidelines exempts alterations to existing single-family residences in a residential zone.

ATTACHMENTS

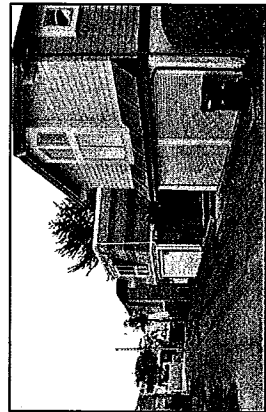
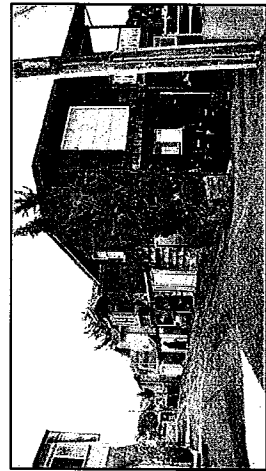
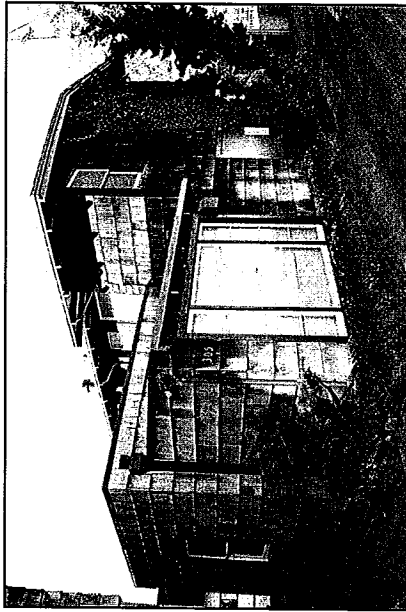
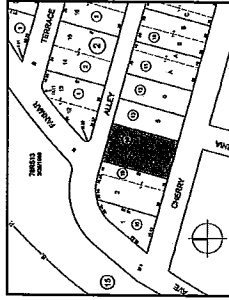
- A. Project Plans
- B. Construction Cost Breakdown

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

BUILDING DESIGN	
T1	TITLE SHEET
T2	STREETSCAPE
A1	SITE PLAN
A2	DEMOLITION PLAN
A3	PROPOSED BASEMENT #
	FIRST FLOOR PLAN
A4	PROPOSED SECOND FLOOR #
	ROOF PLAN
A5	EXISTING EXTERIOR ELEVATION
A6	PROPOSED EXTERIOR ELEVATION
L1	LANDSCAPE PLAN

[illegible]

1 STREETSCAPE - NORTH SCALE NONE

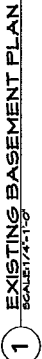
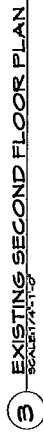







2 **STREETSCAPE - SOUTH**
SCALE NONE



PROCESSED

DATE: _____

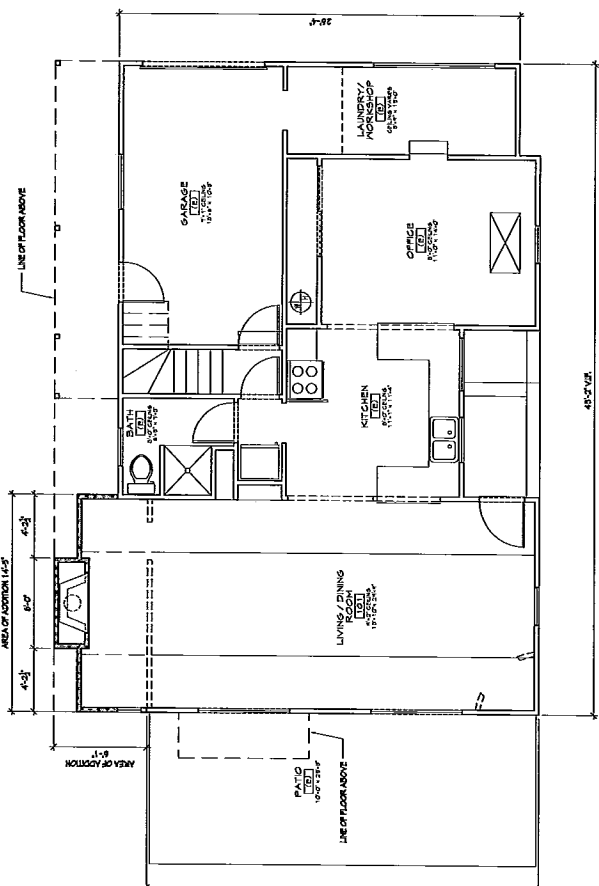


	NEW 2x4 STUDS
	NEW 2x6 STUDS
	NEW JOIST B
	EXISTING WALL
	EXISTING WALL

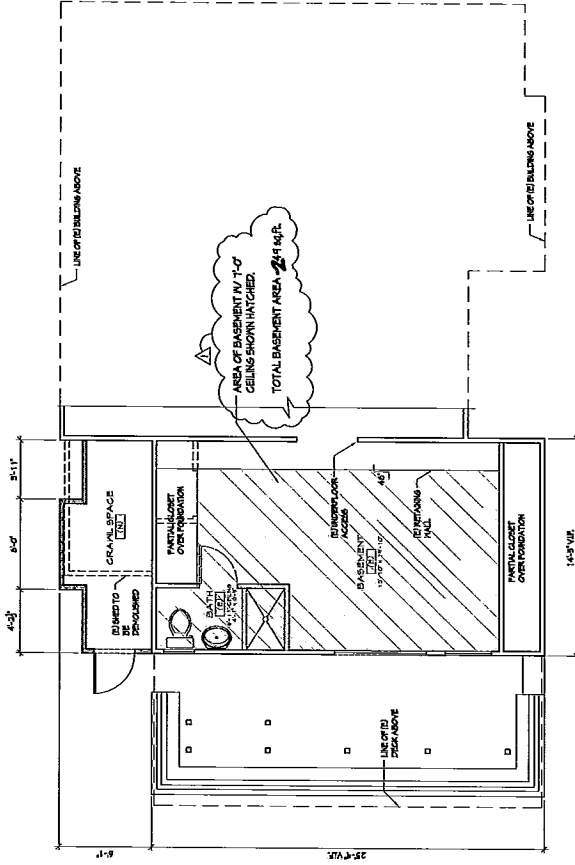
NOV 05 - 11	2004-2005	NOV 05 - 11	2004-2005
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PLANNING SUBMITTAL	8/05-12-2013	PLANNING SUBMITTAL	8/05-12-2013
PERMITS	12/05-01-13	PERMITS	12/05-01-13
CONSTRUCTION	02/13-05/13	CONSTRUCTION	02/13-05/13
FINISHES	05/13-08/13	FINISHES	05/13-08/13
MOVING	08/13-09/13	MOVING	08/13-09/13

WALL LEGEND

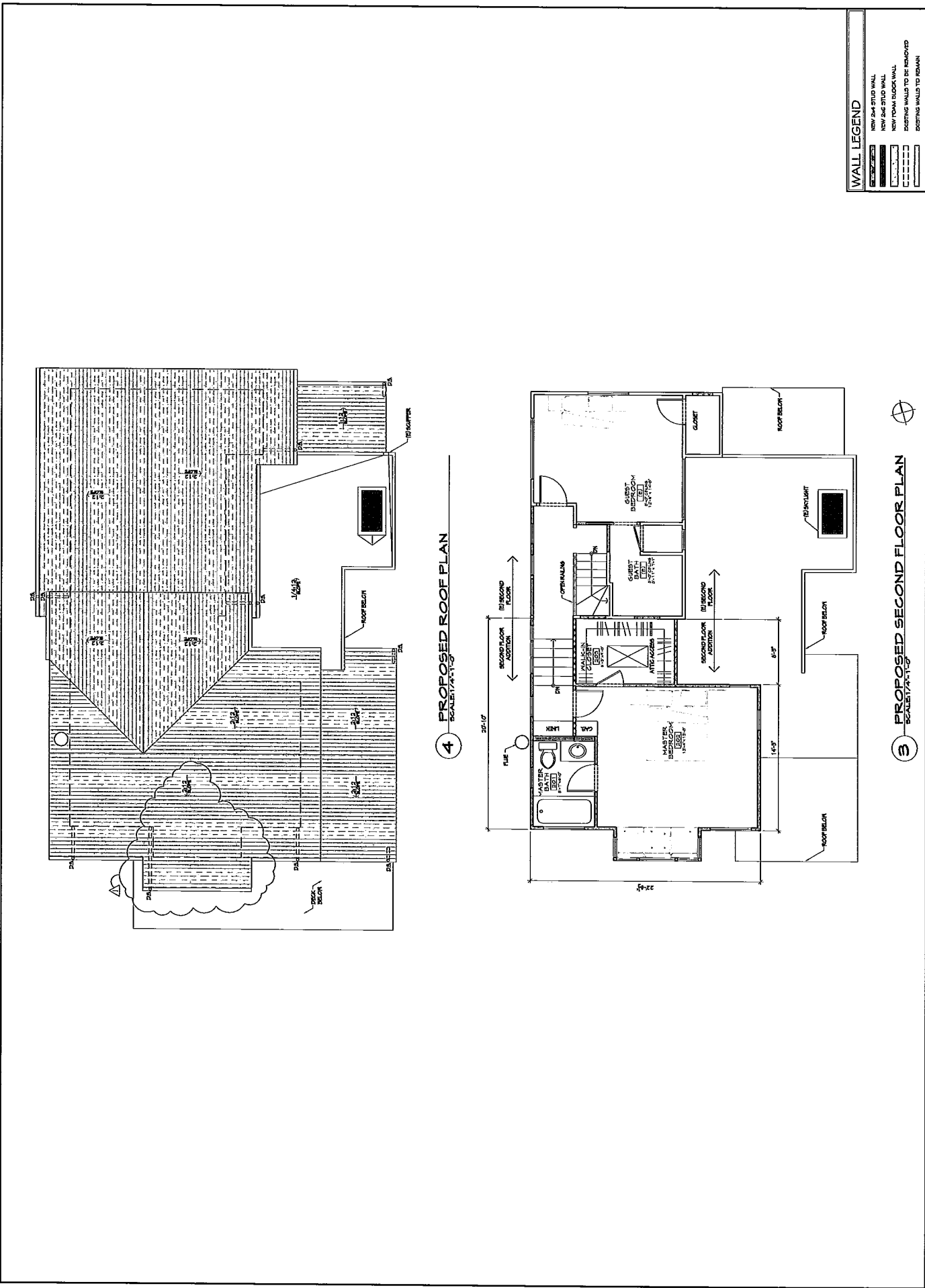
[Symbol]	NEW 2" x 4 STUD WALL
[Symbol]	EXISTING 2" x 4 STUD WALL
[Symbol]	NEW FORM BLOCK WALL
[Symbol]	EXISTING WOOD BLOCK WALL
[Symbol]	EXISTING WALLS TO REMAIN



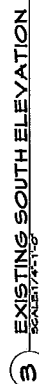
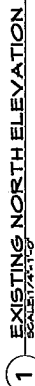
2 PROPOSED FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"

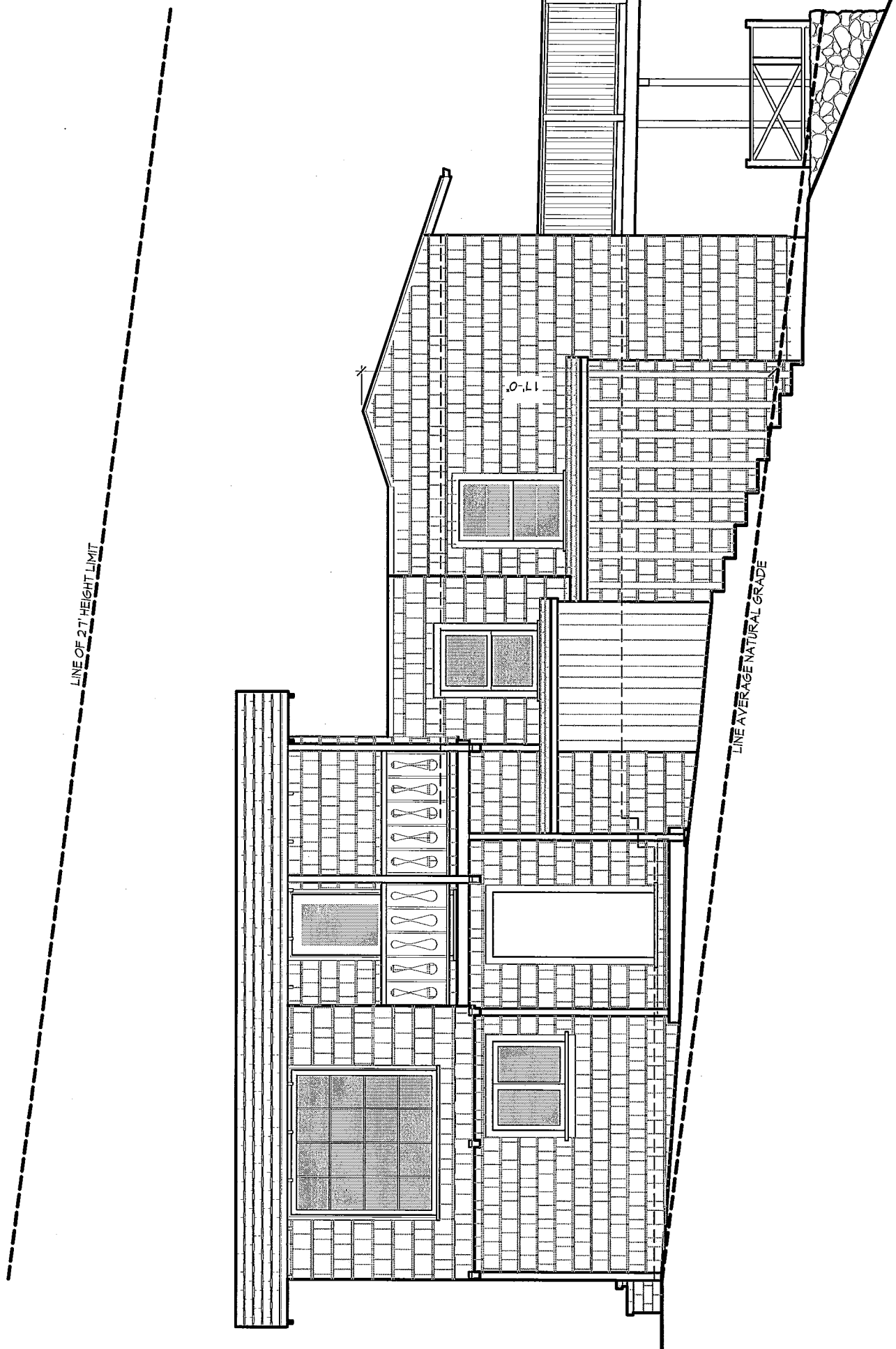


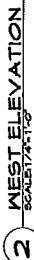
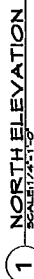
1 PROPOSED BASEMENT PLAN
SCALE: 1/8" = 1'-0"



EXISTING EXTERIOR
ELEVATIONS

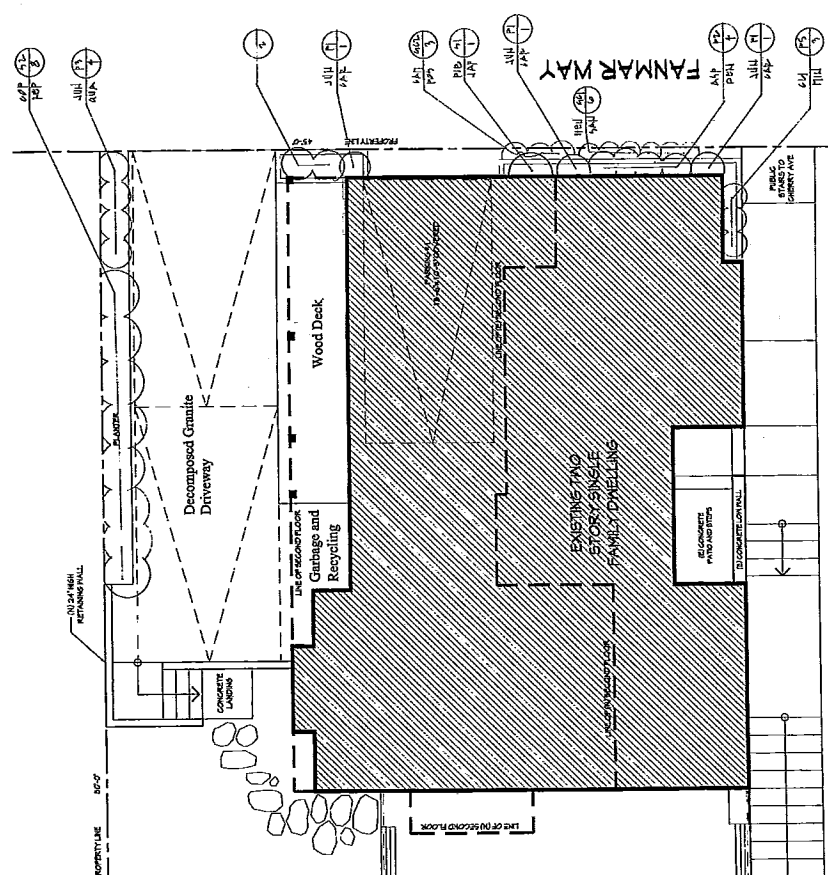






Plant Legend

Sym	Botanical Name	Common Name	Size	Quan
S1	Persea japonica	Red	SSC	1
S2	Corymba tomentosa 'Coppertone'	Red-Blackberry 'Coppertone'	SSC	8
P1	Juniperus 'Compressa'	California Bush	16C	3
P2	Aspidistra densifolia 'Meyers'	Meyers Aspidistra	16C	4
P3	Juniperus procumbens 'Ground Cover'	California Bush	16C	4
P5	Chamaecyparis	Kent's Lily	16C	3
C1	Conocarpus	Coastal Palm	16C	3
C2	Conocarpus	Seaside Palm	16C	3



1 LANDSCAPE PLAN

Planting Notes

- PLANTING AREA PREPARATION**
1. Remove soil as required to accommodate soil amendments and ensure proper drainage.
 2. Cultivate and planting areas to a minimum of 6".
 3. After the completion of all grading and underground construction, all planting areas shall be covered with a minimum of 2" of mulch. The mulch shall be applied and maintained in a manner that will prevent drainage percolation and soil erosion.
 4. Existing plants to be saved shall be protected from injury.
 5. No acceptance of plants or materials to be saved shall be located within the drip line of any existing plant.
- QUALITY OF PLANT MATERIALS**
1. All plant materials 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.
- INSTALLATION**
1. Planting holes shall be as deep as the root ball and 3 times the width of the root ball.
 2. Backfill for the planting holes shall be 80% site soil and 20% 50-50 blend mushroom compost, aged chicken manure or other approved materials.
 3. All planting areas shall be mulched with 2" of redwood bark, 1/4" or other.
 4. All trees shall be staked with 1, 2" x 10" lodge pole pine two stakes placed outside the root ball and secured with two rubber tire ties.



ASPHALT SHINGLE ROOF
BARKWOOD BY GAF



WINDOWS & DOORS
JELD WEN VINYL

B. MOORE: COTTAGE RED (CLASSIC COLORS)



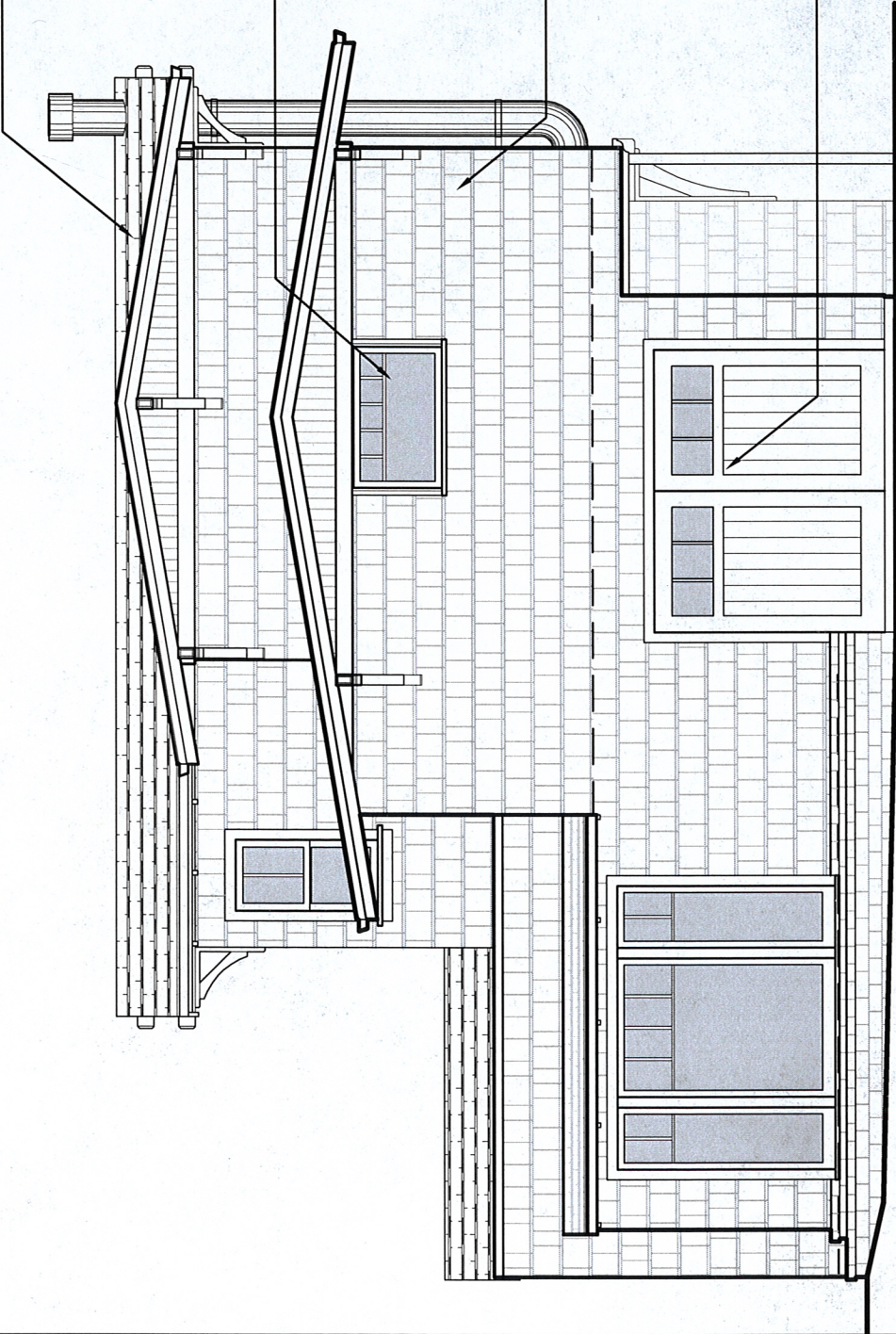
SHINGLES

SHINGLES BY JAMES HARDIE
B. MOORE: HC-100 GLAUCESTER SAGE



TRIMWORK & WOODWORK
PAINTED WOOD

B. MOORE: HC-101 HAMPSHIRE GRAY



WILK ADDITION
305 FANMAR WAY, CAPITOLA, CA 95010
APN: 035-161-14

DVRD
DEREK VAN ALSTINE
DESIGNER
2011 COPYRIGHT
ALL RIGHTS RESERVED

DEREK VAN ALSTINE
RESIDENTIAL DESIGN INC.
716A SOQUEL AVENUE, SANTA CRUZ, CALIFORNIA
(831)426-8401 PHONE (831)426-8466 FAX

D E R E K V A N A L S T I N E R E S I D E N T I A L D E S I G N , I N C .

March 15, 2013

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

Re: Construction Cost Breakdown
305 Fanmar Way
APN: 035-161-14

Existing residence:	1,256 square feet	
@ \$200.00/square foot		\$251,200.00
Existing garage:	210 square feet	
@ \$100/square foot		\$21,000.00
Existing deck:	255 square feet	
@ \$12.00/square foot		\$3,060.00
	<u>Total Existing Value:</u>	<u>\$275,260.00</u>
	80% of Total Existing Value	\$220,208.00
New Construction / Remodel Costs:		
Kitchen Remodel:	126 square feet	
@ \$300.00 per sq.ft.		\$37,800.00
New Construction:	508 square feet	
@ \$200.00 per sq.ft.		\$101,600.00
	<u>Total Construction / Remodel Cost:</u>	<u>\$139,400.00 (51%)</u>

716 SOQUEL AVE., STE A, SANTA CRUZ, CA 95062
phone 831-426-8400 • 831-426-8446 fax

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STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: JUNE 6, 2013

SUBJECT: **1575 38th AVENUE** **#13-061** **APN: 034-181-17**
 Planned Development Rezoning, Conditional Use Permit, and Design Permit to demolish a commercial salvage yard (Capitola Freight and Salvage) and construct a three-story, 23-unit residential senior housing project in the CN (Neighborhood Commercial) Zoning District.
 Environmental Determination: Mitigated Negative Declaration
 Property Owner: Maureen A. Romac and Steve Thomas, filed: 5/11/13

APPLICANT'S PROPOSAL

The applicant is proposing a planned development rezoning at 1575 38th Avenue in the CN (Neighborhood Commercial) zoning district. The project site currently contains a commercial salvage yard which is proposed to be removed as part of the project. The proposal is a three-story, 23-unit market rate senior housing development on the 31,365 square foot lot (.72 acre).

BACKGROUND

A preliminary proposal for a four-story, 67-unit senior housing planned development was reviewed by the Planning Commission and City Council in the fall of 2011. Based on the comments and direction received from both the Planning Commission and City Council, the applicant redesigned the project and submitted a formal Planned Development application. The new proposal is a three-story, 23-unit senior housing planned development.

On September 6, 2012, the formal application was reviewed by the Planning Commission. The Planning Commission made a recommendation to the City Council to deny the project. As a result of this denial, the City became aware that Planned Development applications cannot be appealed to the City Council if they receive a denial from the Planning Commission. The Planning Commission's decision was final.

On February 14, 2013, the City Council directed staff to amend the Planned Development ordinance to allow for appeals to the City Council when an application has been denied by the Planning Commission.

On March 7, 2013, the Planning Commission unanimously recommended that the City Council adopt the proposed amendments to the Planned Development Ordinance. On March 28, 2013, the City Council approved the first reading of the Zoning Ordinance amendment and on April 11, 2013, the City Council approved the second reading of the Zoning Ordinance amendment. On May 11, 2013, the ordinance amendment became effective in areas outside the Coastal Zone. As the 38th Avenue senior housing project is not in the Coastal Zone, the applicant has re-submitted an application. Following the September 6, 2012 Planning Commission meeting, the

applicant met with city staff to address the following issues and concerns raised by the Commission (Attachment D):

- The project is not complimentary nor consistent with the scale of adjacent commercial and residential uses;
- Pursuant to the Planned Development (PD) ordinance, it was expressed that the benefits of the project to the community through the design, use, or special amenities did not justify the proposed exceptions to the underlying CN district standards;
- The findings to approve a PD under four acres could not be made;
- Concern with the second floor decks as they eliminate privacy to the adjacent properties;
- Lack of landscaping; and
- Concern with the mass, scale and density of the project.

The applicant incorporated the following changes in response to the Commission's concerns:

- Reduction in the average height from 42' to 39'.
- Redesign of the front of the building, eliminating the front porte-cochere and a driveway, improving the street appeal of the project by setting the structure back further, increasing the landscaping, and providing a rooftop garden area and an outdoor patio for residents off of the private eating area.
- Elimination of the outdoor deck areas on the rear (west) elevation to address privacy concerns of the residents behind the project.
- Redesign of the rear portion of the structure to reduce the height, scale, and mass adjacent to the residential neighbors. The new design relocates the elevator tower toward the center of the building and steps the structure away from the rear property line.

The design plans, building materials and site landscaping have addressed previous review and comments from the Architectural and Site Review Committee. The applicant has provided a progression of the building design since the original preliminary PD design (Attachment B). The applicant has addressed many of the issues raised during the previous reviews by significantly reducing the density, height, mass, and scale of the building, as well as addressing access, parking, privacy, landscaping and architectural design.

DISCUSSION

The 31,365 square foot (.72 acre) project site is located on 38th Avenue between Capitola Road and Brommer Street. The relatively flat site currently contains a commercial salvage yard which is proposed to be removed as part of the project. Abutting the west property line are single-family homes located in the County, while to the south of the property is a self storage facility. Across the street is the King's Plaza shopping center, while to the north is a combination of office and commercial properties.



1575 38th Avenue – APN 034-181-17

The project consists of demolition of the existing salvage yard and its accessory buildings and construction of a 23-unit rental (market rate), unassisted senior housing development. The project applications to be considered by the City include: Planned Development Rezoning, Conditional Use Permit, and Design Permit for the demolition and construction.

The proposed project will be contained within an approximate 65,000 square foot, three-story building. The contemporary Mediterranean architecture incorporates a mix of smooth stucco finish, cast stone balustrades, wrought iron railings, and barrel tile roof. The proposed housing units will be located on the second and third floors. The planned units include 14 studio units and nine one-bedroom units (Attachment A).

The ground level includes an enclosed 35-space enclosed parking garage, a main entry lobby, a commercial kitchen, and a private restaurant with an outdoor dining area for residents. The restaurant area, with an approximately 600 square foot kitchen, will offer meals three times a day. There is shared common area throughout the development, with a 480-square foot pool with spa and cabana proposed on the third floor. A community rooftop deck has also been incorporated.

In addition to a restaurant for residents and guests, a number of amenities will be provided for the residents, including a swimming pool, bocci ball, hobbies, exercise, yoga, massage, book club, classes, educational speakers, wifi, and a shuttle service that will provide supplemental transportation for residents.

General Plan

The General Plan Designation for the site is C-LC (Commercial – Shopping Local). The designation is described as “Commercial areas that serve local neighborhoods.” The Housing Element lists the site as a Mixed-Use Residential/Commercial opportunity site. Although the Housing Element states that a net of 17 units are possible on the site, it is possible to develop more. The CN zoning district does not have a specific maximum lot coverage or minimum lot area per unit. Therefore, density is indirectly controlled by the need to meet parking requirements.

Neighborhood Commercial (CN) Zoning District

The parcel is currently zoned CN (Neighborhood Commercial). The purpose of the existing CN district is “to accommodate, at convenient locations, those limited commercial uses which are necessary to meet frequently occurring basic shopping and service needs of persons residing in adjacent areas and to implement the harmonious intermingling of pedestrian, commercial and residential activities. The style and scale of development should be consistent with the foregoing and the intensity of uses should have low impact on the neighborhood.”

This is a neighborhood commercial district that permits single family residential and residential/commercial mixed use development as principal permitted uses. Multifamily residential is permitted with a conditional use permit. Required setbacks are 15 feet at the front, 10% of lot width for the first floor side, and 15% of the lot width for the second floor side yards. The rear set back requirement is 10 feet for commercial developments and 20% of lot depth for residential projects.

Planned Development Rezoning Process

As proposed, the development does not meet the current CN zoning district development standards. Therefore a Planned Development (PD) application has been submitted. Section 17.39.010 of the Zoning Ordinance states that the purpose of the Planned Development District is “to encourage and provide a means for effectuating desirable development, redevelopment, rehabilitation, and conservation in the city, which features variation in siting, mixed land uses, and/or varied dwelling types. The amenities and compatibility of PD districts is to be insured through adoption of a general development plan, showing proper orientation, desirable design character and compatible land uses.” This would allow some flexibility to the development standards in order to achieve the desired result.

Requested Exceptions

The PD district provides that standards for area, coverage, density, yard requirements, parking and screening for PD district uses shall be governed by the standards of the zoning district most similar in nature and function to the proposed PD district use as determined by the Planning Commission. Therefore, CN zoning is most similar to the proposed PD district use. Per the PD ordinance, exceptions to standards are allowed when it is found that the exceptions “encourage a desirable living environment and are warranted in terms of the total proposed development or unit thereof.” The following is a summary of the CN exceptions requested as part of the PD rezoning.

Development Standards	CN District	Proposed
<u>Front Yard Setback</u>		
First Floor	15'-0" landscape strip	14 + 9' sidewalk
Second Floor	15'-0"	14 + 9' sidewalk
Third Floor	n/a	34' + 9' sidewalk
<u>Rear Yard Setback(Residential)</u>		
First Floor	48'-0"	15'-0"
Second Floor	48'-0"	23'-0"
Third Floor	n/a	30'-0"
<u>Rear Yard Setback (Commercial)</u>		
First Floor	10'-0" including 10' landscape strip and solid masonry wall	15'-0" including 10' landscape strip and solid masonry wall
Second Floor	10'-0"	23'-0"
Third Floor	n/a	30'-0"

<u>Side Yard Setback</u> South property boundary		
First Floor	13'-0"	0'-0" dining/kitchen area
Second Floor	19'-7"	6'-0" building
Third Floor	n/a	0'-0" pool
		6'-0" decks & 15'-0"
		0'-0" pool
		15'-0" decks & 21'-0" units
<u>Side Yard Setback</u> North property boundary		
First Floor	13'-0"	7'-0" building
Second Floor	19'-7"	7'-0" decks & 16'-0" units
Third Floor	n/a	16'-0" decks & 23'-0" units
<u>Maximum Height</u>	27'	39' average
		48' top of elevator tower

Traffic/Circulation

A Forecast Trip Generation, On-Site Parking Analysis and Pedestrian Warrant Analysis report was prepared by RBF consulting (Attachment E) to evaluate the potential impacts of the project in accordance with the standards set forth by the City of Capitola. The proposed project is estimated to result in a net increase of 39 daily weekday trips based on trip generation rates for senior housing and warehouse uses published by the Institute of Transportation Engineers. Traffic from the existing salvage yard was deducted from the total trips generated by the proposed senior housing project. The proposed project is estimated to result in a slight decrease in AM and PM peak trips compared to the existing use. The addition of approximately 40 project trips to study intersections throughout the day would not have a noticeable effect. The project traffic would result in a less-than-significant impact, and no mitigation measures are required.

For vehicular circulation, site access for the proposed project is planned via one inbound/outbound driveway located along 38th Avenue. The proposed driveway is designed to be offset from two existing driveways serving the retail center across 38th Avenue from the project site. The driveway design will not result in increased hazards or inadequate emergency access.

In regards to pedestrian circulation, a 9' sidewalk is proposed along the street frontage of the property. While not currently proposed as part of the project, the RBF report evaluated the potential for the installation of an unsignalized mid-block pedestrian crossing to connect the project to the King's Plaza commercial property. The analysis presents that the pedestrian volume does not warrant a crossing. However, installation of the crosswalk is at the discretion of the City.

Parking

The Forecast Trip Generation, On-Site Parking Analysis and Pedestrian Warrant Analysis report prepared by RBF consulting reviewed parking for the proposed use. The City of Capitola Municipal Code does not specifically include a parking requirement for a senior housing type use. The closest comparison would likely be the requirement for multiple-family residential, such as apartments and condominiums, which is 2.5 spaces per unit. Based on this requirement, a total of 58 spaces would be required.

Considering the fact that this is a senior complex, it is anticipated that the parking demand will be less than a standard market rate apartment complex. The RBF analysis provided an evaluation of the number of on-site parking spaces required for the proposed project utilizing guidelines specifically designed for senior housing land use as set forth by jurisdictions in the vicinity as well as information contained in other published guidelines used as industry standard.

Guideline Source	Senior Housing Parking Requirement Per Guideline	Project Size	On-Site Parking Spaces Required	On-Site Parking Spaces Planned	Adequate Parking Spaces Planned
City of Live Oak Municipal Code	0.6 Parking Spaces Per Unit	23 du	14	36 ²	Yes
City of Santa Cruz Municipal Code	1 Parking Space for each 3 Dwelling Units		8		Yes
City of Seaside Municipal Code	1 Parking Space for Each Unit With Half the Spaces Covered Plus 1 Guest Parking Space for Each 10 Units		26		Yes
ITE Parking Generation, 3rd Edition	1.4 Parking Spaces per dwelling unit ¹		33		Yes

Notes: du = Dwelling Unit

1 = Observed peak parking demand of 50%.

2 = Parking supply is based on *Villa Capitola Unassisted Senior Housing Site Plan* (Nancy Huyck, 05/17/2012)

Based on the above table, the range of parking requirements for a similar project would vary from 8 to 33 parking spaces. With a total of 35 spaces provided, the project will provide an adequate number of parking spaces to serve the proposed senior housing use.

Landscaping

With the proposed structure covering the majority of the site, there are limited opportunities for landscaping. Along the rear property line, a row of nine 30" box California Bay trees and six 24" box Arbutus Marina trees will be planted to provide screening. On the north side of the building, a mix of olive trees and camellia plants are proposed, in addition to a continuous walkway that wraps around to the rear of the property. The streetscape will incorporate a mix of olive trees, star jasmine and a water fountain complimenting the Mediterranean architecture. Potted plants will also be introduced throughout the project on the multiple decks and pool area. There are several existing redwood trees along the adjacent property boundary to the south.

Lighting

Overall site lighting will be directed downward and shielded from adjacent properties. The guidelines also require light to be contained on the property. An exterior lighting plan which delineates the type, height and location of the proposed lighting will be required as part of the building submittal.

Shadow/Light

The building design steps back at the rear of the site allowing for adequate light and solar access to the adjacent residential properties. Except for a limited period of time in the winter, the project will have a minimal solar access impact on the adjacent residential properties to the west.

Walls/Fencing

A 6'-8" high concrete block wall (measured from project finished grade) is proposed along the western property line adjacent to residential properties. In addition, a 6'-8" wrought iron fence is proposed along the north property line.

Public Improvements

New curb, gutter and sidewalk will be installed along the 38th Avenue frontage. The sidewalk will have a 9' width, with tree wells incorporated for olive trees. All utilities will be required to be undergrounded.

Environmental Review

The Initial Study was prepared and circulated per CEQA requirements, and a Mitigated Negative Declaration prepared for adoption based on the determination that the project will not have a significant effect on the environment (Attachment C). There are no changes in the current application that would result in a significant effect on the environment. Only one mitigation measure has been included regarding noise, requiring preparation of an acoustical study with the building permit submittal and the requirement that the building plans incorporate any recommended building or window design measures, if needed to achieve required indoor noise levels. All other potentially significant impacts were deemed less than significant based on the current project design, preliminary studies, and conditions of approval relating to the building code and city regulations.

RECOMMENDATION

Staff recommends that the Planning Commission recommend adoption of the Mitigated Negative Declaration, and recommend **approval** of application #13-061 to the City Council, subject to the following conditions and based on the following findings:

CONDITIONS

1. The project approval is for a Planned Development Rezoning, Conditional Use Permit, and Design Permit to demolish a commercial salvage yard (Capitola Freight and Salvage) and construct a three-story, 23-unit residential senior housing project in the CN (Neighborhood Commercial) Zoning District.
2. Any significant modifications to the size or exterior appearance of the approved design must be approved by the Planning Commission. Similarly, any significant change to the use itself, or the site, must be approved by the Planning Commission.
3. Prior to granting of final occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director.
4. Hours of construction shall be Monday to Friday 7:30 a.m. – 9:00 p.m., and Saturday 9:00 a.m. – 4:00 p.m., per city ordinance.
5. Air-conditioning equipment and other roof top equipment shall be screened from view and fall within the allowable city permitted decibel levels.
6. Affordable housing in-lieu fees shall be paid as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance. Any appropriate fees shall be paid prior to building permit issuance.
7. A drainage plan or design shall be submitted with the final building plans, to the satisfaction of the Public Works Director and approved by Santa Cruz County's Zone 5 Drainage District.
8. The final landscape plan shall be submitted with the building permit application and will include the specific number of plants of each type and their size, as well as the irrigation

system to be utilized. Irrigation and landscaping shall be installed prior to final building occupancy.

9. An erosion control plan shall be approved and in place prior to grading and construction on site.
10. Prior to Certificates of Occupancy being issued, the project Developer shall be responsible for installing all required frontage improvements including curb, gutter, and sidewalk, along 38th Avenue for the length of the property frontage. All sidewalks are to meet the standards for ADA accessibility.
11. All lighting shall be shielded and directed on to subject property, away from adjacent residential properties. Lighting intensity shall be reviewed and approved by staff prior to final occupancy and shall be reviewed by the Planning Commission upon receipt of a complaint.
12. No roof equipment is to be visible to the general public. Any necessary roof screening is to match the color of the building as closely as possible. Plans for any necessary screening shall be submitted to the Community Development Department prior to, or in conjunction with, building permit submittal.
13. A 6'-8" high concrete block wall (measured from project finished grade) shall be constructed along the western property line adjacent to residential properties.
14. The applicant shall obtain an encroachment permit, from the Director of Public Works, prior to any work in the public right of way.
15. The utilities shall be underground to the nearest utility pole in accordance with PG&E and Public Works Department requirements. A note shall be placed on the final building plans indicating this requirement. Underground utility vaults shall be located in a paved surface area outside of the landscaped area.
16. The applicant shall comply with all requirements of the Santa Cruz City Water Department regarding landscape irrigation and/or water fixture requirements, as well as any infrastructure improvements. Final building plans shall be reviewed and approved by the Department prior to issuance of building permits.
17. The applicant shall implement "Best Management" construction practices to control dust and PM₁₀ emissions during grading and site development. The MBUAPCD identifies the following construction practices to control dust:
 - Water all active construction areas at least twice daily;
 - Prohibit all grading activities during periods of high winds (over 15 mph);
 - Cover all trucks hauling dirt, sand or loose materials.
 - Cover or water stockpiles of debris, soil and other materials which can become windblown;
 - Install wheel washers at the entrance to construction sites for all existing trucks;
 - Sweep streets if visible soil material is carried out from the construction site;
 - Apply chemical soil stabilizers on inactive construction sites;
 - Plant vegetative ground cover in disturbed areas as soon as possible.
18. The applicant shall submit a construction plan for approval prior to building permit issuance. The plan shall include, but not be limited to, identifying construction hours, access to the site, contractor parking locations, office trailer locations, material storage, etc.

19. If archaeological resources or human remains are accidentally discovered during construction, work shall be halted within 50 meters (150 feet) of the find until it can be evaluated by a qualified professional archaeologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented. Disturbance shall not resume until the significance of the archaeological resources is determined and appropriate mitigations to preserve the resource on the site are established. If human remains are encountered during construction or any other phase of development, work in the area of discovery must be halted, the Santa Cruz County coroner notified, and the provisions of Public Resources Code 5097.98-99, Health and Safety Code 7050.5 carried out. If the remains are determined to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours as required by Public Resources Code 5097.
20. The applicant shall meet or exceed the California Green Building Code and Capitola Green Building Program.
21. Mitigation Measure 1: The applicant shall prepare an acoustical study with the building permit submittal. The building plans shall incorporate any recommended building or window design measures, if needed to achieve required indoor noise levels.

FINDINGS

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

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have reviewed the project and determined that the project, subject to the conditions of approval with the Planned Development Zoning designation, is consistent with the purposes of the Planned Development District. Conditions of approval have been included to carry out the objectives of the PD district and General Plan.

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

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have reviewed the project and determined that the proposed senior housing use will maintain the character and integrity of the area, implementing the harmonious intermingling of pedestrian, commercial and residential activities. Conditions of approval have been included to ensure that the project maintains the character and integrity of the neighborhood.

C. A Mitigated Negative Declaration has been prepared for this project based upon the completion of an Initial Study which identified that the project will not have a significant effect on the environment.

The Initial Study was prepared and circulated per CEQA requirements, and a Mitigated Negative Declaration prepared for adoption based on the determination that the project will not have a significant effect on the environment.

D. Planned Development Findings (Section 17.39.050)

- The proposed PD district, and the development associated with it, can be substantially completed within two years of the establishment of the district. The plans for the development and environmental review have been completed, demonstrating a readiness to move forward with the project.
- The proposed market rate senior housing development will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved under other zoning districts by providing much needed housing to a growing population of seniors in a central location adjacent to a mix of commercial uses, including banks, a movie theatre, several restaurants, drug store, and grocery stores, as well as the Capitola Mall.
- The requested exceptions to development standards are warranted by the design and amenities incorporated into the development which focuses on providing an independent senior living experience for a growing population of seniors, maximizing the use of this relatively unconstrained and centrally located site, already identified for infill development.
- The PD district and general development plan are compatible with the general plan and the most recently adopted Housing Element.
 - 1) The site is located in a central location close to all services, and alternative transportation.
 - 2) The site is unconstrained with regard to biotic or other natural resources and therefore could be developed in the manner proposed without having significant impacts on trees, streams, wildlife, archaeological or historic resources, etc.
 - 3) The proposed development plan is located adjacent to commercial uses along 41st Avenue, and is consistent with economic and housing goals for the City which seeks to provide a range of housing types.

ATTACHMENTS

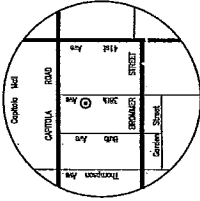
- A. Project Plans
- B. Project Design Progression
- C. Initial Study and Mitigated Negative Declaration
- D. Planning Commission Minutes from September 6, 2012
- E. Forecast Trip Generation, On-Site Parking Analysis and Pedestrian Warrant Analysis prepared by RBF Consulting, dated June 8, 2012
- F. Letter from Steve Thomas and Maureen Romac, dated May 22, 2013
- G. Petition submitted May 22, 2013
- H. Letter from George Ow Jr. dated January 14, 2013
- I. Letter from Kim Frey, dated January 15, 2013

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

HUYCK
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Progress
04-18-13



VICINITY MAP
NO SCALE

VILLA CAPITOLA

Unassisted Senior Housing

1575 38th Avenue
Santa Cruz, CA 95062

PROJECT DATA

OWNER: Steve Thomas and Lauren Ramona

OWNER'S AGENT: Nancy Huyck

ASSESSOR'S PARCEL NUMBER: 034-181-17

PARCEL AREA: Approximately 31,300 sf (130'-3" +/- x 240'-4" +/-)

ZONED: PD (Planned Development)

SETBACKS: Front: East 25'-0" setback including 9'-0" adjacent (Average Setback 25'-0")
Side: North 0' setback (Average Setback 4'-0")
Side: West 15'-0"
Side: North 7'-0"

AREAS: Garage and Associated Functions on Second Floor 23,378sf
Second Floor (including all stairs + pool area) 22,076sf
Third Floor (including all stairs + pool area) 19,805sf
TOTAL AREA: 65,455

UNIT COUNT: 23 Units Total

Studios: 14

One Bedroom: 9

PARKING COUNT: 35 Stalls Total

BUILDING HEIGHT: 39' +/- Average

CODE + CONSTRUCTION DATA

NUMBER OF STORES: 3 (Garage + Second and Third Story Apartments)

BUILDING OCCUPANCY CLASSIFICATION: R-2 Residential

OCCUPANT LOAD FOR EACH FLOOR:

Garage: (xxxx)

Second Story (xxxx)

Third Story (xxxx)

TYPE OF CONSTRUCTION: 5A

FIRE PROTECTION: Automatic Fire Sprinkler System Throughout

SCHEDULE OF DRAWINGS:

GENERAL G-1 GENERAL INFORMATION
(Resubmittal Attached)

CIVIL C-1 SURVEYORS MAP

ARCHITECTURAL A-1 DEMOLITION PLAN (Aerial Photo)

A-2 SITE PLAN

A-3 FIRST FLOOR GARAGE PLAN

A-4 SECOND FLOOR PLAN

A-5 THIRD FLOOR PLAN

A-6 ROOF PLAN

A-7 EXTERIOR ELEVATIONS

A-8 EXTERIOR ELEVATIONS

A-9 BUILDING SECTIONS

A-10 BUILDING SECTIONS

A-11 LANDSCAPE + SITE LIGHTING

REVISIONS

no.	date	description
1	04-18-13	xxx

PROJECT TITLE

VILLA CAPITOLA
UNASSISTED
SENIOR HOUSING
1575 38th AVENUE
SANTA CRUZ, CA 95062
APN: 034-181-17

SHEET TITLE

GENERAL
INFORMATION

SCALE: None

DATE: 04-18-13

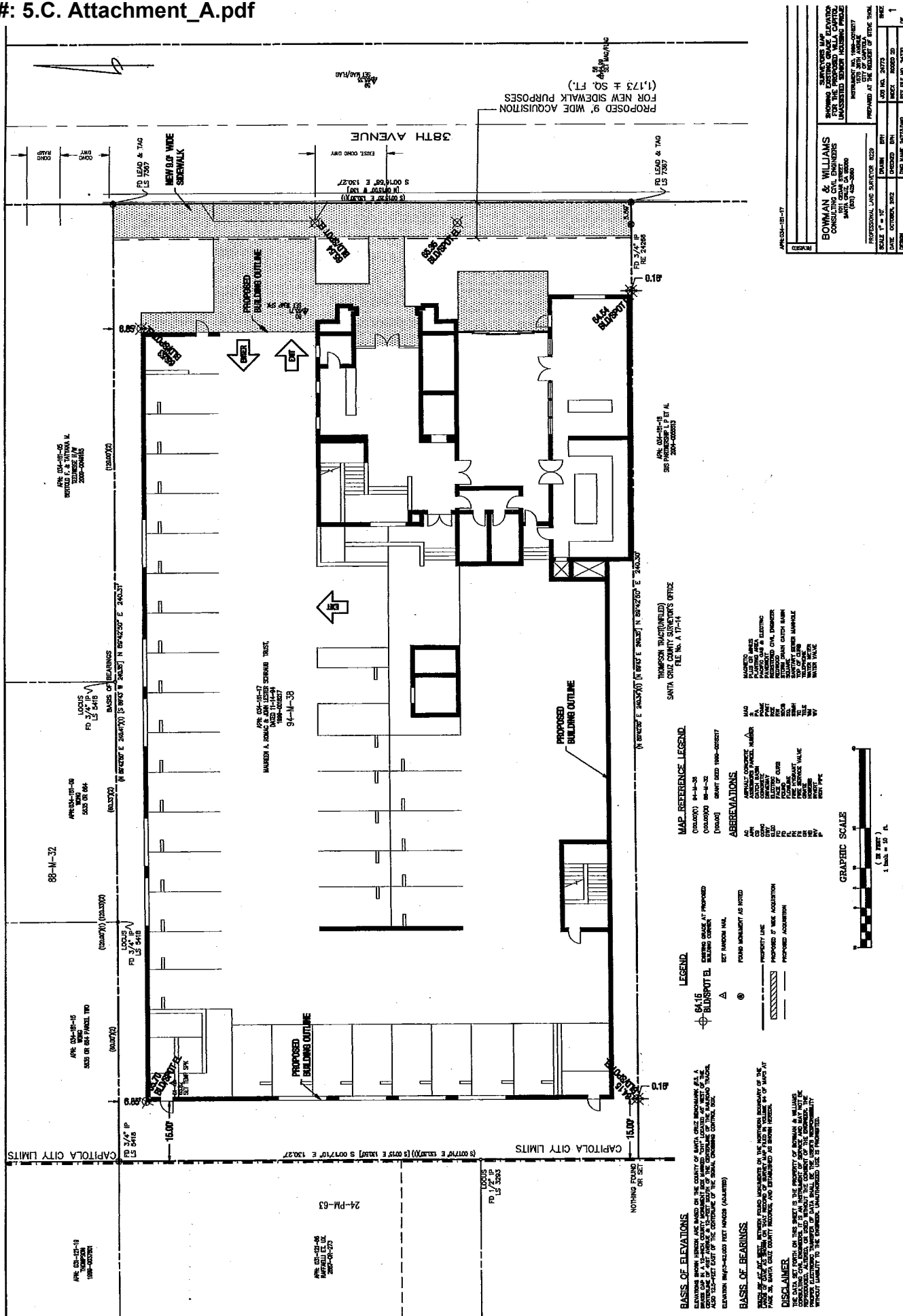
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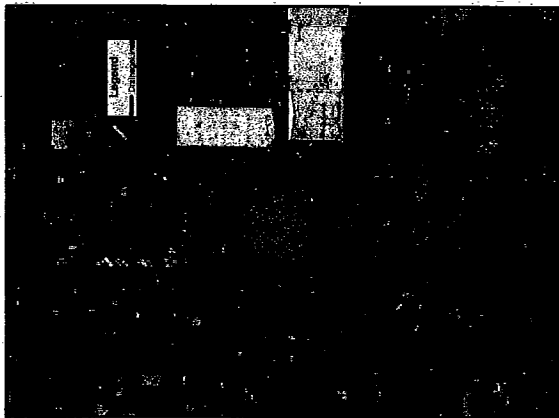
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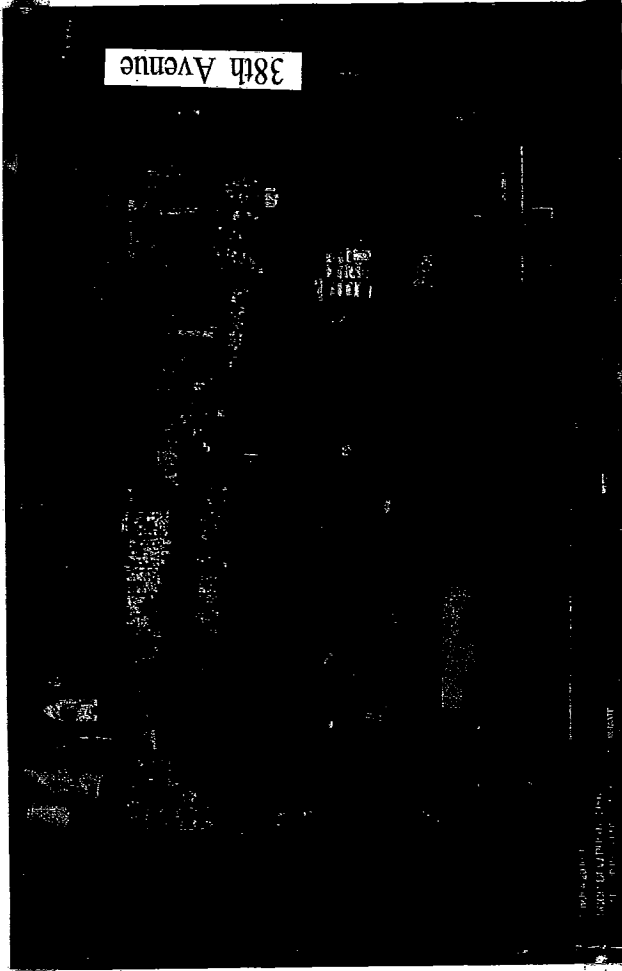
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Existing Vicinity Parcels / Drainage Lines



Existing Site Conditions

Existing Conditions for Demolition

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REVISIONS

PROJECT TITLE

PROJECT TITLE

VILLA CAPITOLA
UNASSISTED
SENIOR HOUSING
1575 38th AVENUE
SANTA CRUZ, CA
APN: 034-181-17

SHEET TITLE

EXISTING

EXISTING
CONDITIONS for
DEMOLITION

SCALE: None

DATE: 04-18-13

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JOB NO.: N1140

DWG. NO.: N1140-A-1

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PROJECT TITLE
VILLA CAPITOLA
UNASSISTED
SENIOR HOUSING
1575 38th AVENUE
SANTA CRUZ, CA
APN: 034-181-17

SHEET TITLE
SITE PLAN

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

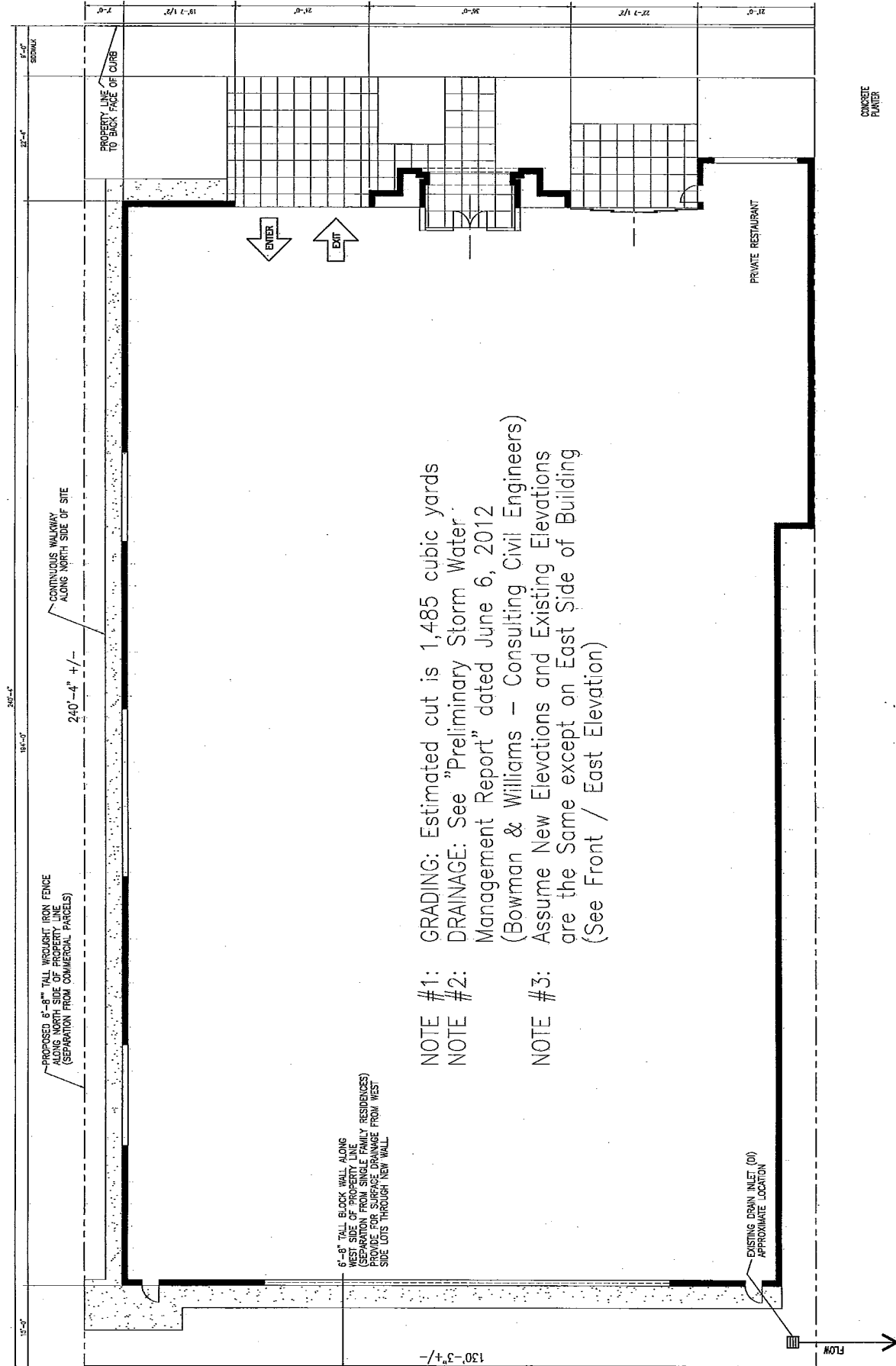
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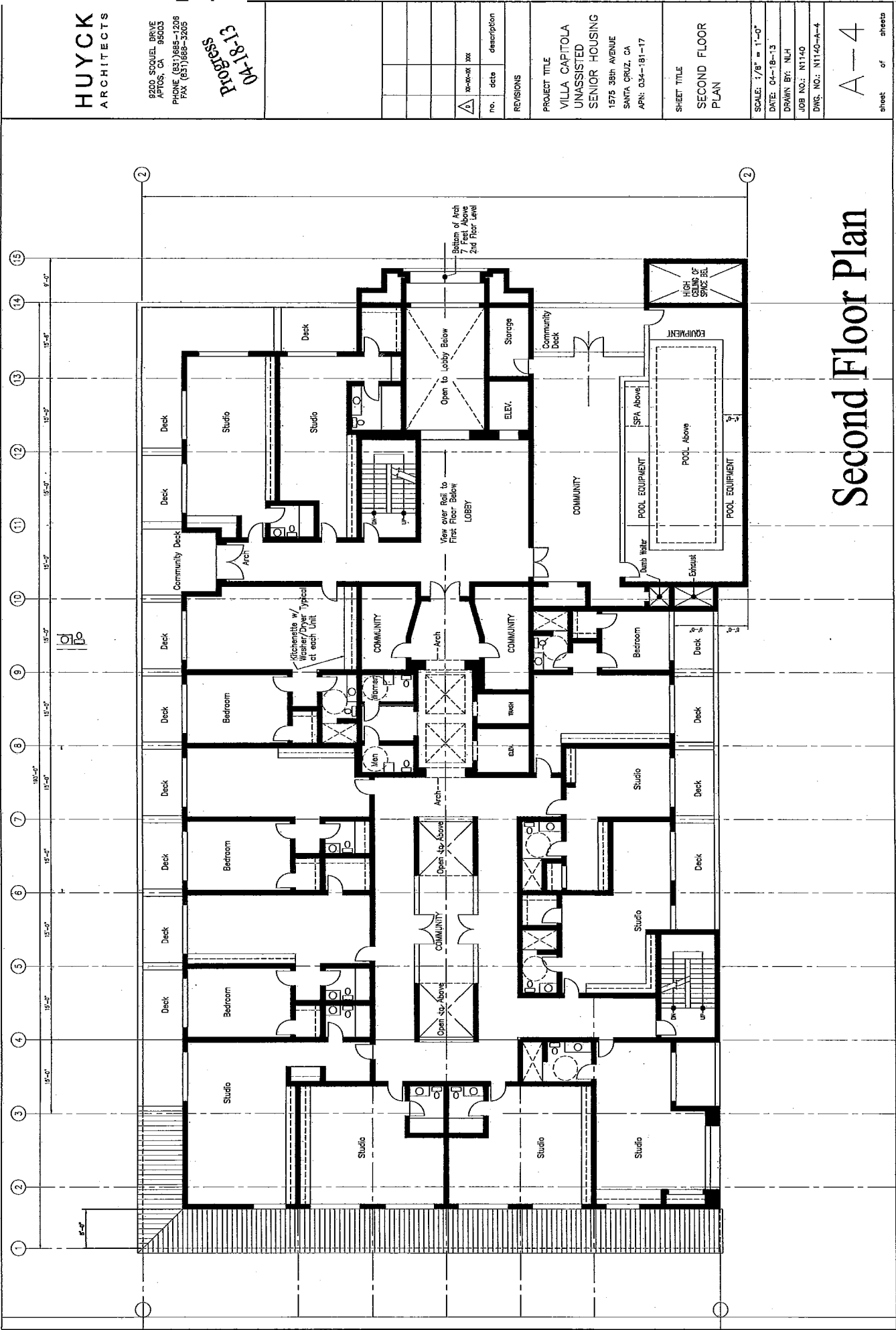
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CONCRETE
PLANTER

Site Plan



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REVISIONS

PROJECT TITLE
VILLA CAPITOLA
UNASSISTED
SENIOR HOUSING
1575 38th AVENUE
SANTA CRUZ, CA
APN: 034-181-17

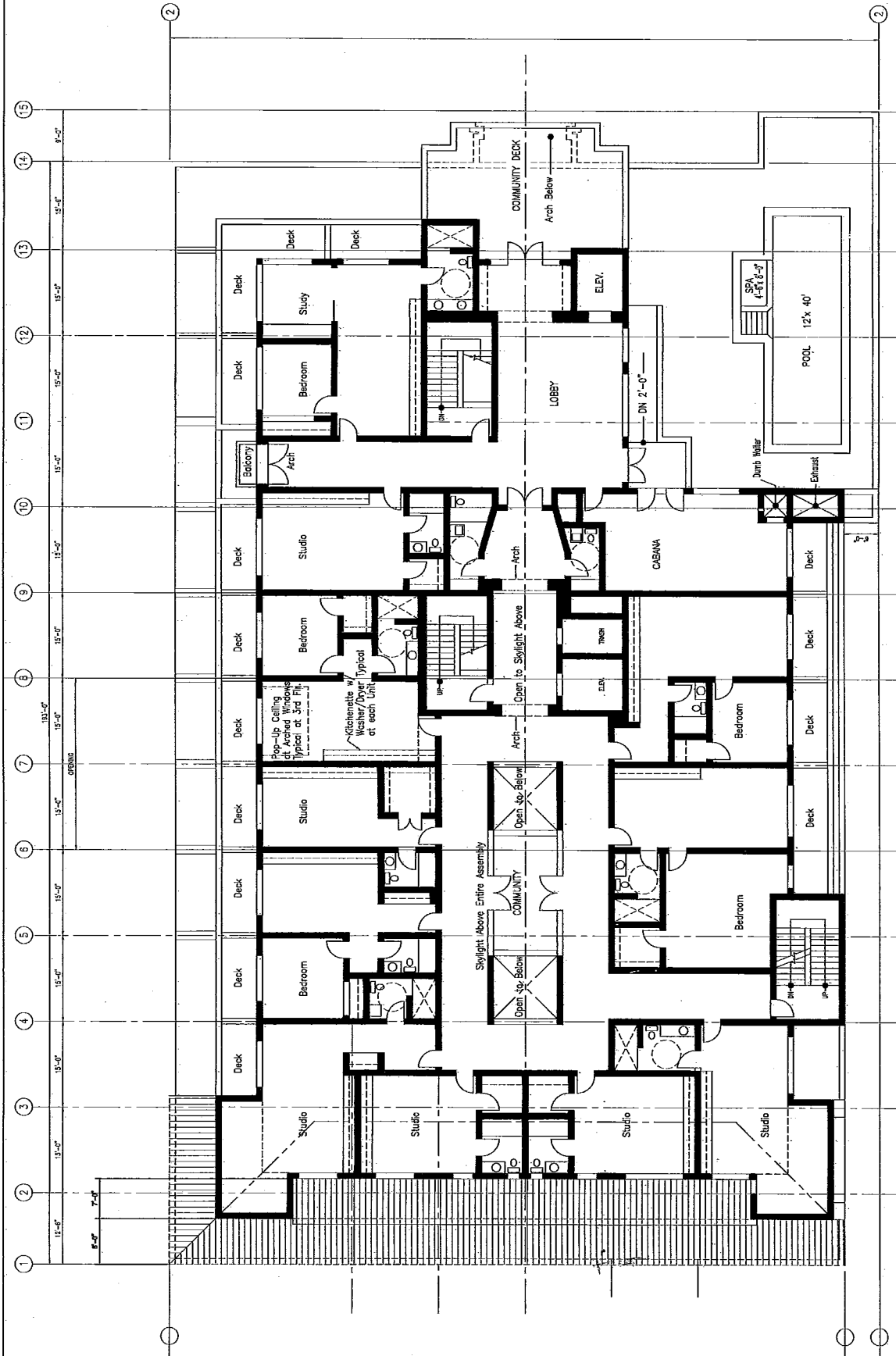
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THIRD FLOOR
PLAN

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DATE: 04-18-13
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JOB NO.: N1140
DWG. NO.: N1140-A-5

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Third Floor Plan



9200 SOQUEL DRIVE
APTOS, CA 95003
PHONE (831)685-1206
FAX (831)688-3205

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REVISIONS

PROJECT TITLE
VILLA CAPITOLA
UNASSISTED
SENIOR HOUSING
1575 38th AVENUE
SANTA CRUZ, CA
APN: 034-181-17

ROOF
PLAN

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

DATE: 04-18-13

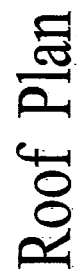
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JOB NO.: N1140

DWG. NO.: N1140-A-6

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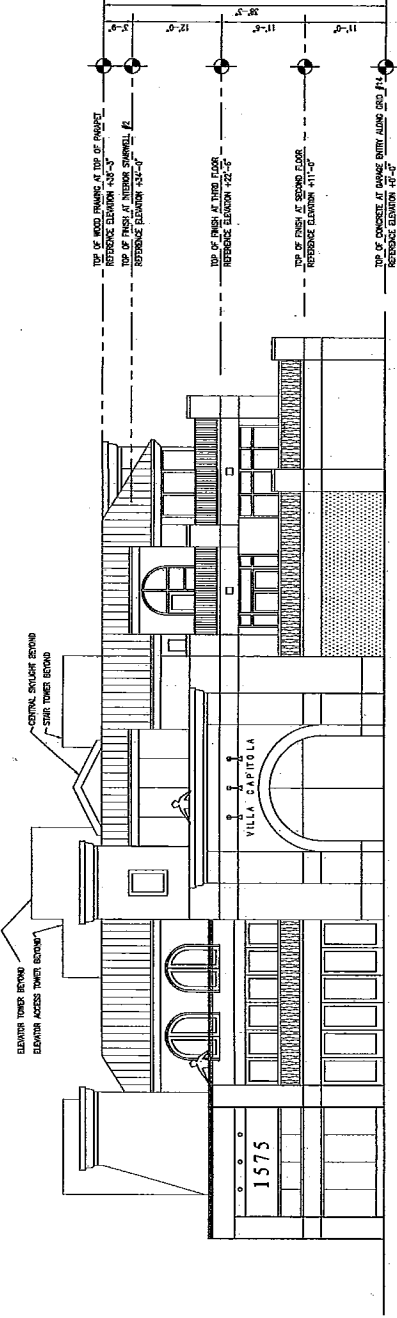
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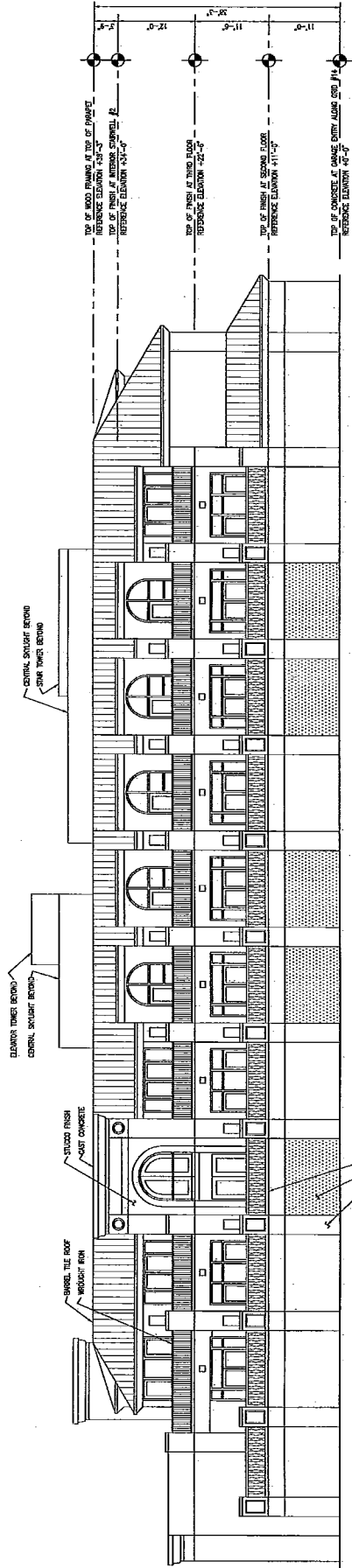
HUYCK
ARCHITECTS

9300 SOQUEL DRIVE
ARTIST, CA 95005
PHONE (937) 685-1206
FAX (937) 688-3205

04-18-13
Fogues



East Elevation - Front



North Elevation - Adjacent China Village

See 3D
Renderings

PROJECT TITLE
VILLA CAPITOLA
UNASSISTED
SENIOR HOUSING
1575 38th AVENUE
SANTA CRUZ, CA
APN: 034-181-17

SHEET TITLE
EXTERIOR
ELEVATIONS

SCALE: 1/8" = 1'-0"
DATE: 04-18-13
DRAWN BY: NLH
JOB NO.: N1140
DWG. NO.: N1140-A-7

A-7

Sheet of sheets

HUYCK
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APTOS, CA 95003
PHONE (831) 685-1206
FAX (831) 688-3205

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REVISIONS

PROJECT TITLE
VILLA CAPITOLA
UNASSISTED
SENIOR HOUSING
1575 38th AVENUE
SANTA CRUZ, CA
APN: 034-181-17

SHEET TITLE
EXTERIOR
ELEVATIONS

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

DATE: 04-18-13

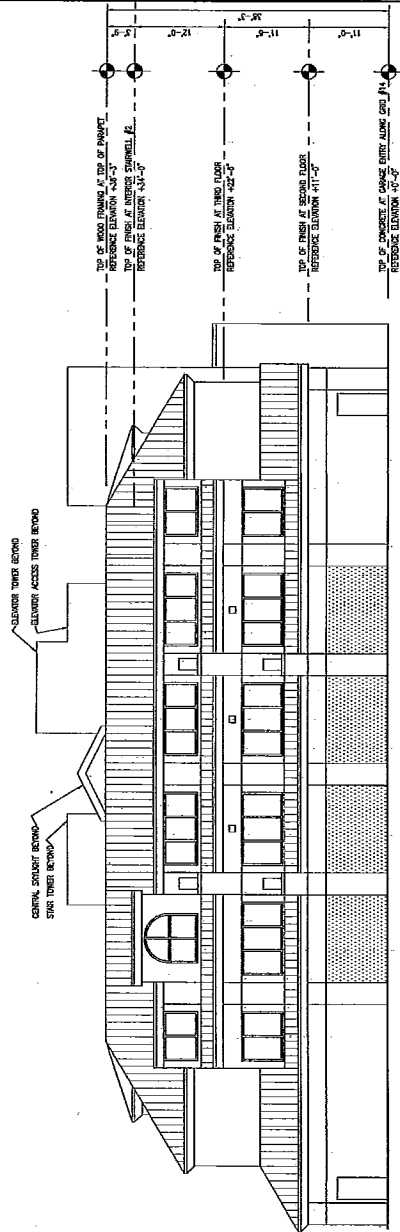
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JOB NO.: N1140

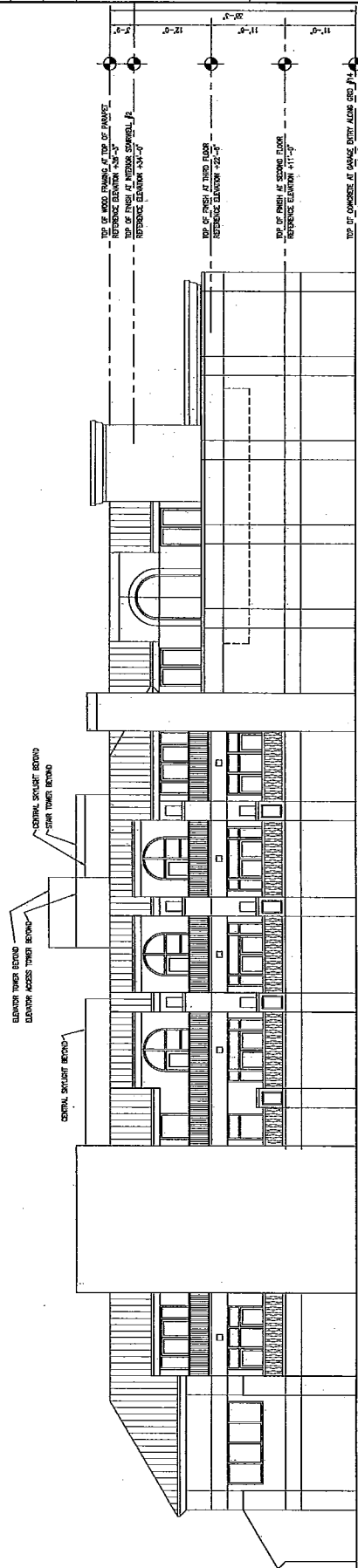
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West Elevation - Rear



South Elevation - Adjacent Storage

See 3D Renderings

HUYCK
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9200 SOQUEL DRIVE
AFROS, CA 95003
PHONE (831)685-1206
FAX (831)688-3205

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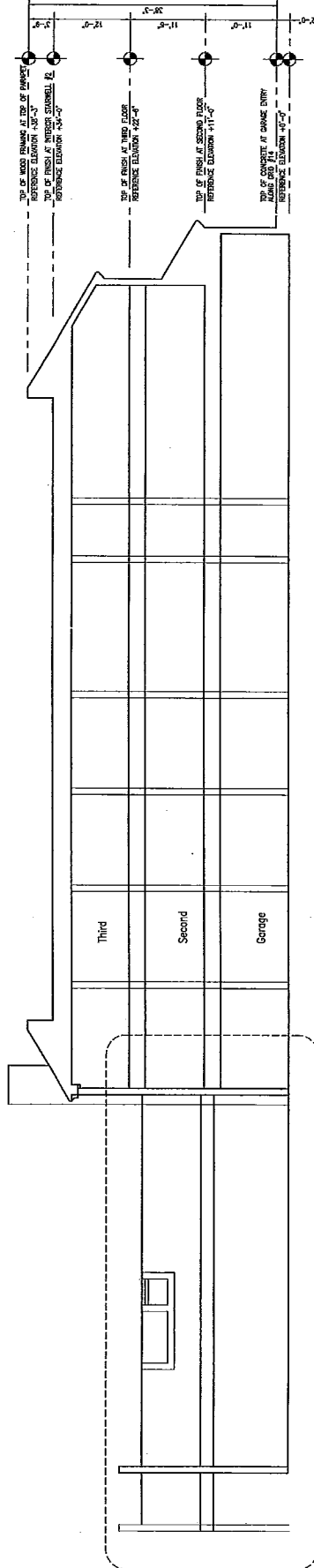
PROJECT TITLE
VILLA CAPITOLA
UNASSISTED
SENIOR HOUSING
1975 38th AVENUE
SANTA CRUZ, CA
APN: 034-181-17

SHEET TITLE
BUILDING
SECTIONS

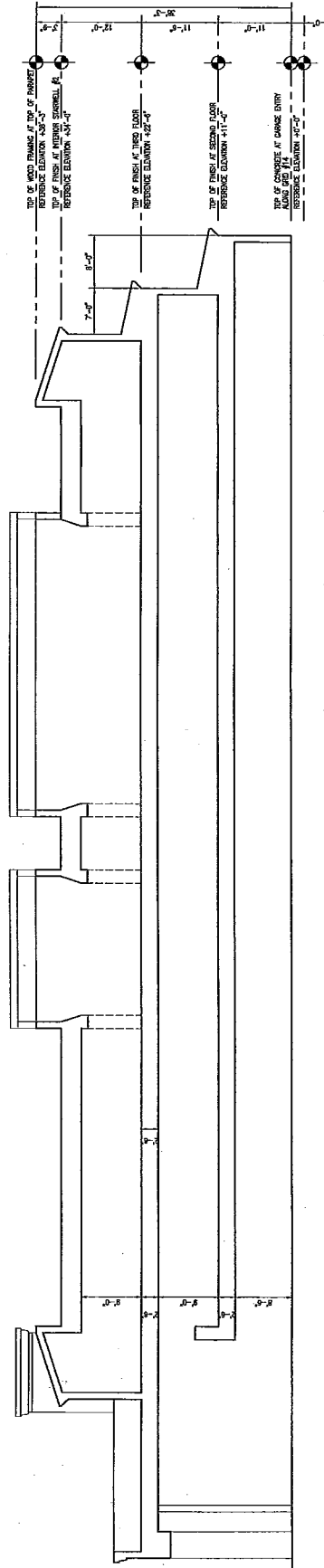
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DATE: 04-18-13
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JOB NO.: N1140
DWG. NO.: N1140-A-9

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Longitudinal Section



Longitudinal Section through Community/Skylight

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PHONE (831)885-1206
FAX (831)868-3205

Progress
04-18-13

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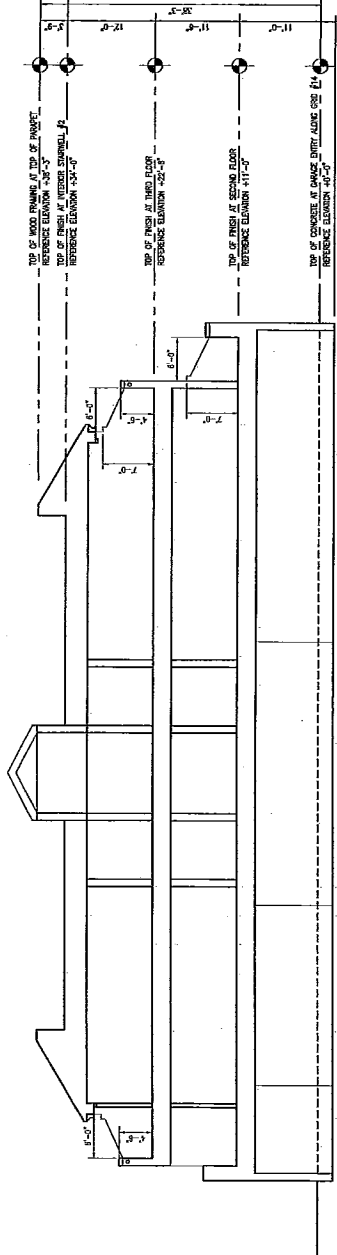
REVISIONS

PROJECT TITLE
VILLA CAPITOLA
UNASSISTED
SENIOR HOUSING
1575 38th AVENUE
SANTA CRUZ, CA
APN: 034-181-17

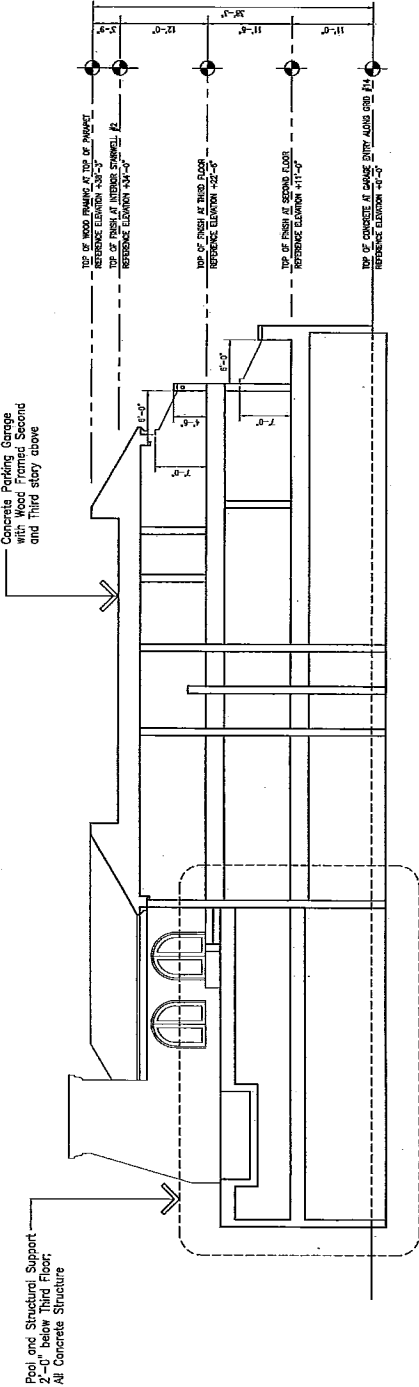
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BUILDING
SECTIONS

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DATE: 04-18-13
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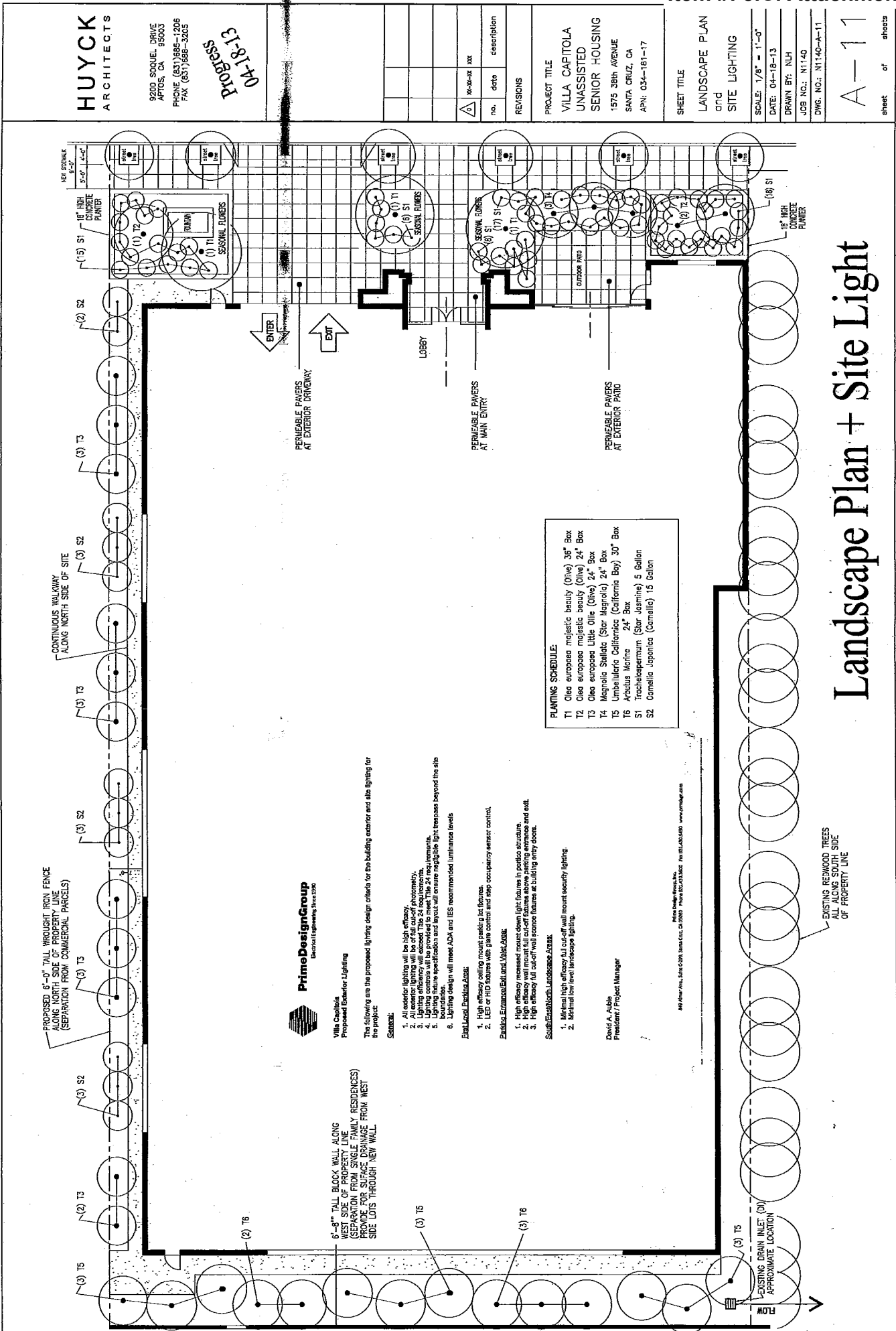
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sheet of sheets



Cross Section through Community Lightwell



Cross Section through Swimming Pool



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APTOS, CA 95003
PHONE (831) 685-1205
FAX (831) 685-3205

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no.	date	description
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PROJECT TITLE
VILLA CAPITOLA
UNASSISTED
SENIOR HOUSING
1575 38th AVENUE
SANTA CRUZ, CA
APN: 034-181-17

SHEET TITLE
LANDSCAPE PLAN
and
SITE LIGHTING

SCALE: 1/8" = 1'-0"
DATE: 04-18-13
DRAWN BY: N/A
JOB NO.: N1140
DWG. NO.: N1140-A-11

A-11

sheet of sheets

Landscape Plan + Site Light

PLANTING SCHEDULE:

T1	Olea europaea majestic beauty (Olive) 36" Box
T2	Olea europaea majestic beauty (Olive) 24" Box
T3	Olea europaea Little Olive (Olive) 24" Box
T4	Magnolia Stellata (Star Magnolia) 24" Box
T5	Umbellularia Californica (California Bay) 30" Box
T6	Arbutus Menziesii (California Strawberry Tree) 24" Box
S1	Tradescantia virginiana (Star Jasmine) 5 Gallon
S2	Cornus Japonica (Cornellia) 13 Gallon



PrimeDesignGroup
Electrical Engineering Since 1990

Villa Capitola
Proposed Exterior Lighting

The following are the proposed lighting design criteria for the building exterior and site lighting for the project:

- General:**
1. All exterior lighting will be high efficiency.
 2. All exterior lighting will be fully shielded.
 3. Lighting efficiency will be provided to meet the 24 requirements.
 4. Lighting controls will be provided to meet the 24 requirements.
 5. Lighting fixture specification and layout will ensure negligible light trespass beyond the site boundaries.
 6. Lighting design will meet ADA and IES recommended luminance levels.
- East Local Parking Area:**
1. High efficiency ceiling mount parking lot fixtures.
 2. LED or HPS fixtures with glare control and step occupancy sensor control.
- Parking Entrance/Exit and Valet Area:**
1. High efficiency recessed mount down light fixtures in parking structure.
 2. High efficiency wall mount full cut-off fixtures above parking entrance and exit.
 3. High efficiency full cut-off wall sconce fixtures at building entry doors.
- South/East/Back Landscape Areas:**
1. Minimal high efficiency full cut-off wall mount security lighting.
 2. Minimal low level landscape lighting.

David A. Auble
President/Project Manager

600 Alvarado Ave., Suite 200, Santa Cruz, CA 95061 Phone: (831) 426-1000 Fax: (831) 426-1000 www.primedesigngroup.com



DECEMBER 21



SEPTEMBER 21



VILLA CAPITOLA

Shadow/Light Study

JUNE 21









Villa Capitola
View From North-East



Villa Capitola
View From South-East (Storage Facility)

Villa Capitola

View From West (Bulb Avenue)

Thumbnail Elevation	Proposed Building Specifications	Corrective Actions Taken	Recommendations/ Direction from Council
	<ul style="list-style-type: none"> • Four Story • 67 Units • 60 Car Parking • Setbacks: <ul style="list-style-type: none"> -East Front 10'-0" -North Side 5'-0" -West Rear 10'-0" -South Side 5'-0" <p>Area Calculations Including Exterior Balconies</p> <ul style="list-style-type: none"> -Fourth Floor 21,037 sf -Third Floor 25,320 sf -2nd Floor 26,040 sf -Garage 26,040 sf <p>TOTAL AREA: 98,437 sf Height: 46 Feet Average.</p> <p>Separate Entry and Exit from Garage with front Valet Parking. Total Landscape Area: 4,280 sf (14% of Site.)</p>	<p>Not Applicable</p>	<p>MAY 20, 2011</p> <p>Reduce Mass Reduce Scale Reduce Height</p>
	<ul style="list-style-type: none"> • Three Story • 57 Units • 60 Car Parking • Setbacks: <ul style="list-style-type: none"> -East Front -'-" -North Side -'-" -West Rear -'-" -South Side -'-" <p>Area Calculations Including Exterior Balconies</p> <ul style="list-style-type: none"> -Third Floor 23,812 sf -2nd Floor 25,220 sf -Garage 26,712 sf <p>TOTAL AREA: 75,744 sf Height: 45 Feet Average.</p> <p>Separate Entry and Exit from Garage. Total Landscape Area: -,---- sf (--% of Site.)</p>	<ul style="list-style-type: none"> • Reduced Mass • Reduced Scale • Reduced Height by 1 ft. 	<p>October 3, 2011</p> <p>Reduce Mass Reduce Scale Reduce Height</p> <ul style="list-style-type: none"> • Traffic/parking study required • Comprehensive Environmental Impact Study Required • Increase Articulation providing 2nd and 3rd story balconies. • Create Rooftop Garden Area • Recomend Skyliht to Illuminate Interior Common Areas
	<ul style="list-style-type: none"> • Three Story • 23 Units • 36 Car Parking • Setbacks: <ul style="list-style-type: none"> -East Front 5'-0" to allow for 9' sidewalk -North Side 6'-10" -West Rear 15'-0" -South Side 2 inches with two areas of cutouts totaling 350 sf <p>Area Calculations Including Exterior Balconies</p> <ul style="list-style-type: none"> Third Floor 20,574 sf 2nd Floor 23,628 sf Garage 23,628 sf <p>TOTAL AREA: 67,830 sf Height: 42' Average.</p> <ul style="list-style-type: none"> • Separate Entry and Exit from Garage w/ front Valet Parking. • Total Landscape Area: 4,967 sf. (16% of Site.) • Rear Towers Located at Setback Lines. • Balconies Provided for each Rear Unit. 	<ul style="list-style-type: none"> • Reduced Mass • Reduced Scale • Reduced Height by 3 ft • Reduced Units to 23 • Increased Setbacks • Parking/Traffic Study submitted. (See 6.c Attachment D, highlighted areas) • C.E.Q.A. Review Process Completed. • Mitigated Negative Declaration Prepared. • Created Rooftop Garden Area • Created Skylight to Illuminate Interior Common Areas 	<p>September 6, 2012</p> <ul style="list-style-type: none"> • Architectural and Site Review Board Endorses Project (See comments Item # 6.c Staff report P.. 2 & 3) • Staff Recommends adoption of Mitigated Negative Declaration and Approval of Project. • Planning Commission Rejects City Recommendation and all submitted required data declaring: <ul style="list-style-type: none"> • Inconsistency with existing neighborhood • Insufficient percentage of Landscaping • Insufficient setbacks to the South (Storage Building) • Insufficient Setbacks to the East (38th Ave) • Privacy issues with 2nd and 3rd story balconies facing Residents on Bulb Ave.
	<ul style="list-style-type: none"> • Three Story • 23 Units • 35 Car Parking • Setbacks: <ul style="list-style-type: none"> -East Front 23'-0" includes 9' sidewalk -North Side 6'-10" -West Rear 15'-0" -South Side (Storage Bldg) <p>Area Calculations Including Exterior Balconies</p> <ul style="list-style-type: none"> Third Floor 19,805 sf 2nd Floor 22,272 sf Garage 23,378 sf <p>TOTAL AREA: 65,455 sf Height: 39' Average.</p> <p>Landscape area 813 sf Total Landscape Area: 7,075 sf. (23% of Site.)</p>	<ul style="list-style-type: none"> • Reduced Height Average by 3 feet • Reduced Total Building Area by 2,375 sf. • Restructured Parking Garage Providing for Single Ingress/ Egress. (Allowing an additional 2090 sf. landscaping fronting 38th Ave. with bistro seating. • Rear Balconies facing bulb avenue residents eliminated. • Two-44 ft. Towers Facing Bulb Ave Residents to the Rear Eliminated. • Increased Setback to 23' - 0" 	

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**CITY OF CAPITOLA
Notice of Intent to
Adopt a Mitigated Negative Declaration**



PROJECT: Villa Capitola Senior Housing **APPLICATION #:** 12-028

PROJECT LOCATION: 1575 38th Avenue, Capitola, CA 95010

APPLICANT: Nancy Huyck

PROJECT DESCRIPTION: The project consists of demolition of an existing commercial salvage yard and accessory buildings and construction of a 23-unit market-rate rental, "unassisted" senior housing development within a new three-story building. The project applications to be considered by the City include: Planned Development Rezoning, Conditional Use Permit, and Design Permit for the demolition and construction in a Neighborhood Commercial zone district.

Significant Effects on the Environment: Exposure to Noise.

The City of Capitola has reviewed the proposed project and has determined that the project will not have a significant effect on the environment with mitigation measures included as conditions of project approval. A copy of the Mitigated Negative Declaration and Initial Study document may be reviewed or obtained at the address below or is available on the City of Capitola website at www.ci.capitola.ca.us:

City of Capitola
420 Capitola Avenue
Capitola, Ca 95010

Comments on the Mitigated Negative Declaration should be submitted in writing to Ryan Bane at the address listed above from August 15, 2012 through September 3, 2012. The Mitigated Negative Declaration and project will be considered at a public hearing before the City of Capitola Planning Commission on September 6, 2012 at 7 PM at the Capitola City Hall at the address above.

If you have any questions or comments, please contact Ryan Bane in the Community Development Department at (831) 475-7300 or email at: rbane@ci.capitola.ca.us.

THIS NOTICE HAS BEEN POSTED AT THE CLERK
OF THE BOARD OF SUPERVISORS OFFICE FOR A
PERIOD COMMENCING 8/15 2012
AND ENDING 9/15 2012

**CITY OF CAPITOLA
Notice of Intent to
Adopt a Mitigated Negative Declaration**

PROJECT: Villa Capitola Senior Housing **APPLICATION #:** 12-028

PROJECT LOCATION: 1575 38th Avenue, Capitola, CA 95010

APPLICANT: Nancy Huyck

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The City of Capitola has reviewed the proposed project and has determined that the project will not have a significant effect on the environment with mitigation measures included as conditions of project approval. A copy of the Mitigated Negative Declaration and Initial Study document may be reviewed or obtained at the address below or is available on the City of Capitola website at www.ci.capitola.ca.us:

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If you have any questions or comments, please contact Ryan Bane in the Community Development Department at (831) 475-7300 or email at: rbane@ci.capitola.ca.us.

**Villa Capitola
MND-Initial Study
DISTRIBUTION LIST**

Association of Monterey Bay Area
Governments--AMBAG
P.O. Box 809
Marina, CA 93933-0809

County Clerk
c/o Clerk of the Board
701 Ocean Street
Santa Cruz, CA 95060

Santa Cruz County
Public Works Department, Room 410
701 Ocean St.
Santa Cruz, CA 95060

Santa Cruz County Planning Dept.
Kathy Previsich, Director
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

City of Santa Cruz Water Department
212 Locust Street
Santa Cruz, CA 95060

CITY OF CAPITOLA MITIGATED NEGATIVE DECLARATION

The City of Capitola has prepared this Mitigated Negative Declaration for the following described project:

PROJECT: Villa Capitola Senior Housing **APPLICATION #:** 12-028

PROJECT LOCATION: 1575 38th Avenue, CA 95010

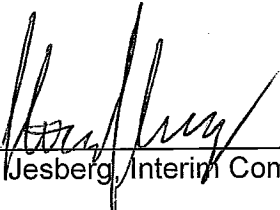
APPLICANT: Nancy Huyck

PROJECT DESCRIPTION: The project consists of demolition of an existing commercial salvage yard and accessory buildings and construction of a 23-unit market-rate rental, "unassisted" senior housing development within a new three-story building. The project applications to be considered by the City include: Planned Development Rezoning, Conditional Use Permit, and Design Permit for the demolition and construction in a Neighborhood Commercial zone district.

FINDINGS: The City of Capitola Community Development Department has reviewed the proposed project and has determined, based on the attached Initial Study, that the project will not have a significant effect on the environment with implementation of mitigation measures. Consequently, adoption of a Mitigated Negative Declaration is appropriate. An Environmental Impact Report is not required pursuant to the *California Environmental Quality Act of 1970 (CEQA)*. This environmental review process and completion of the Initial Study and Mitigated Negative Declaration were conducted in accordance with the State *CEQA Guidelines*.

The following mitigation measures will be incorporated into the project design or as conditions of approval, to ensure that any potential environmental impacts will not be significant.

<u>Impact</u>	<u>Mitigation</u>
Exposure to Noise.	MITIGATION MEASURE 1: Require preparation of an acoustical study with building permit submittal and require building plans to incorporate any recommended building or window design measures, if needed to achieve required indoor noise levels.


By: Steve Jesberg, Interim Community Development Director

7-31-12
Date

CITY OF CAPITOLA

420 CAPITOLA AVENUE

CAPITOLA, CA 95010

PHONE: (831) 475-7300 FAX: (831) 479-8879

INITIAL STUDY

I. BACKGROUND INFORMATION

Project Title:	Villa Capitola Unassisted Senior Housing
Application No.:	#12-028
Project Location:	1575 38 th Avenue
Name of Property Owner:	Steve Thomas and Maureen Romac
Name of Applicant:	Nancy Huyck
Assessor's Parcel Number(s):	034-181-17
Acreage of Property:	31,365 square feet (0.72± acres)
General Plan Designation:	C-LC (Shopping - Local)
Zoning District:	CN (Neighborhood Commercial)
Lead Agency:	City of Capitola
Prepared By:	Stephanie Strelow, Strelow Consulting
Date Prepared:	July 30, 2012
Contact Person:	Ryan Bane, Senior Planner
Phone Number:	(831) 475-7300

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Environmental Setting and Surrounding Land Uses

This project site is located within the western portion of the City of Capitola, south of Capitola Road on the west side of 38th Avenue. The site is located at 1575 38th Avenue, just south of the Capitola Mall (see Figure 1). The site is bordered by 38th Avenue and the Kings Plaza Shopping Center on the east, commercial uses on the north and south, and residential uses on the west. The properties to the west are located within the unincorporated area of Santa Cruz County.

The project site is flat and currently is developed with a commercial salvage yard (Capitola Freight and Salvage) that consists of areas of stockpiled building elements (windows, doors, cabinets) and appliances, several older structures and an unpaved parking area. Approximately seven trees are located on the property, primarily at the edges.

The surrounding neighborhood is primarily characterized as commercial, except for residential uses that are located to the west of the site. A storage facility with parking is located immediately south of the project site; a row of redwood trees on this adjacent property borders the property line. Two older single-family homes are located adjacent to the project site on the north, which appear to be used for commercial purposes and are located within a commercial zone. A parking lot serving commercial uses along Capitola Road also borders the project site on the north. Older single-family homes are located to the west of the project site. An aerial photo with the existing site conditions is presented on Figure 2.

B. Project Description

Background. A preliminary proposal for the project site consisted of a four-story, 67-unit senior housing planned developed that was reviewed by Capitola's Architectural and Site Review Committee, Planning Commission and City Council in the fall of 2011. Based on comments and direction given at that time, the applicant redesigned the project and submitted a formal Planned Development application. The current proposal has been reduced in size to a three-story, 23-unit project as further described below.

Project Description. The project consists of demolition of the existing salvage yard and its accessory buildings and construction of a 23-unit rental (market rate), "unassisted" senior housing development. The project applications to be considered by the City include: Planned Development Rezoning, Conditional Use Permit, and Design Permit for the demolition and construction.

The proposed project will be contained within an approximate 70,000 square foot, three-story building. The proposed housing units will be located on the second and third floors. The planned units include 11 studio units, nine one-bedroom units, two one-bedroom with study units, and one two-bedroom with study unit.

The ground level includes an enclosed 36-space enclosed parking garage. An approximate 520 square foot "private restaurant" also is located on the ground floor adjacent to the parking area, which would serve meals in a dining room, coffee bar or poolside cabana. The restaurant area (with an approximate 520 square foot kitchen) is intended for residents only, where meals will be

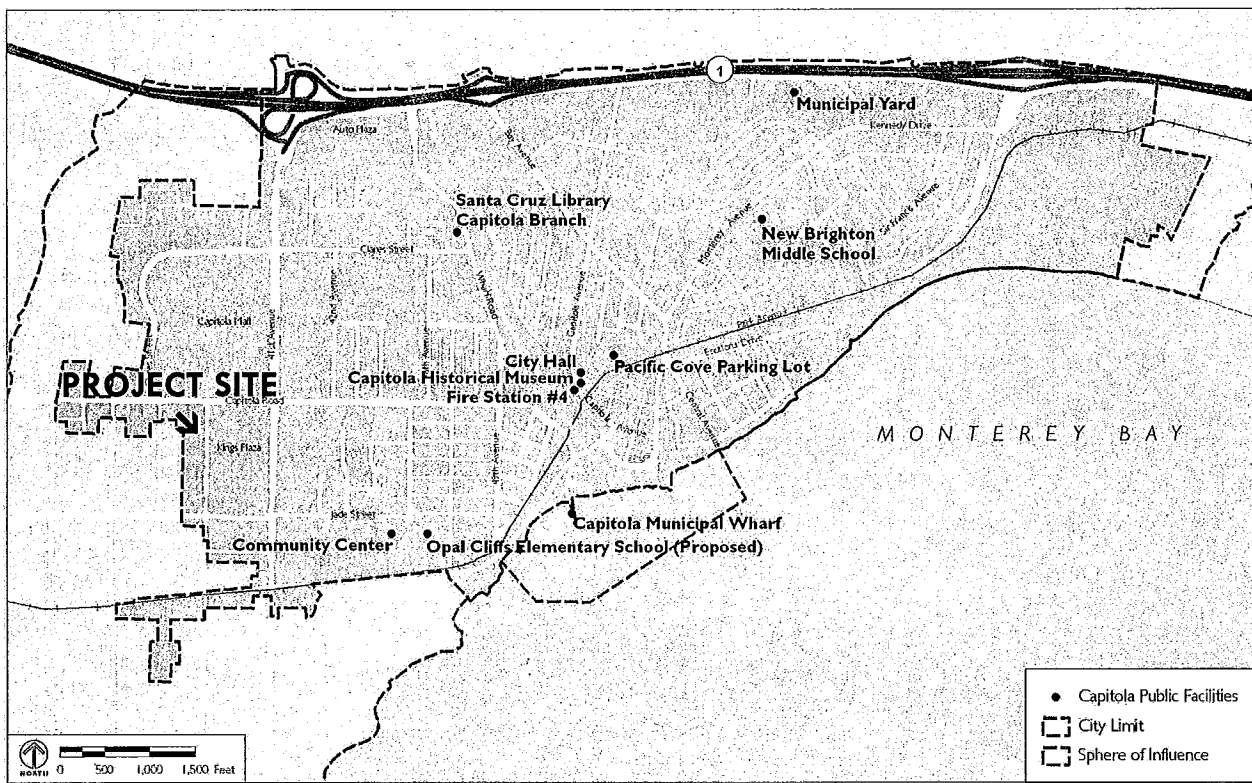
served three times a day. A lobby area is located on the second, and a 480-square foot pool with spa and cabana is proposed on the third floor. The site plan with the first two floors is shown on Figure 3.

Access will be provided via 38th Avenue with a separate entrance and exit. Information provided by the applicant indicates that shuttle service will be provided for supplemental transportation for residents.

C. Agencies whose approval is required (and permits needed)

None are known other than the City of Capitola.

FIGURE 1: Vicinity Location

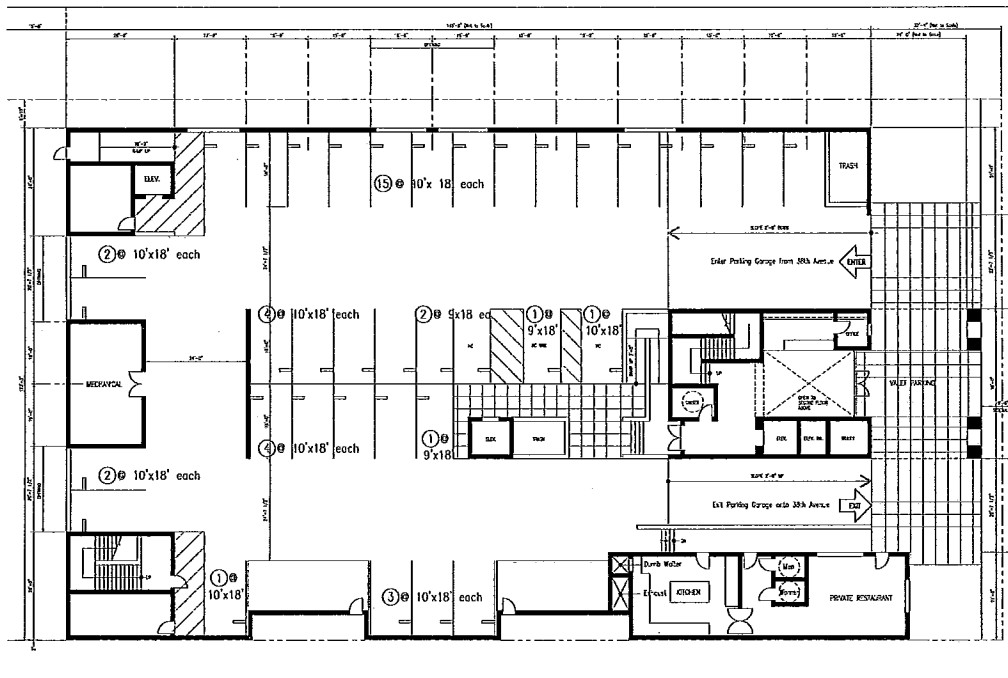
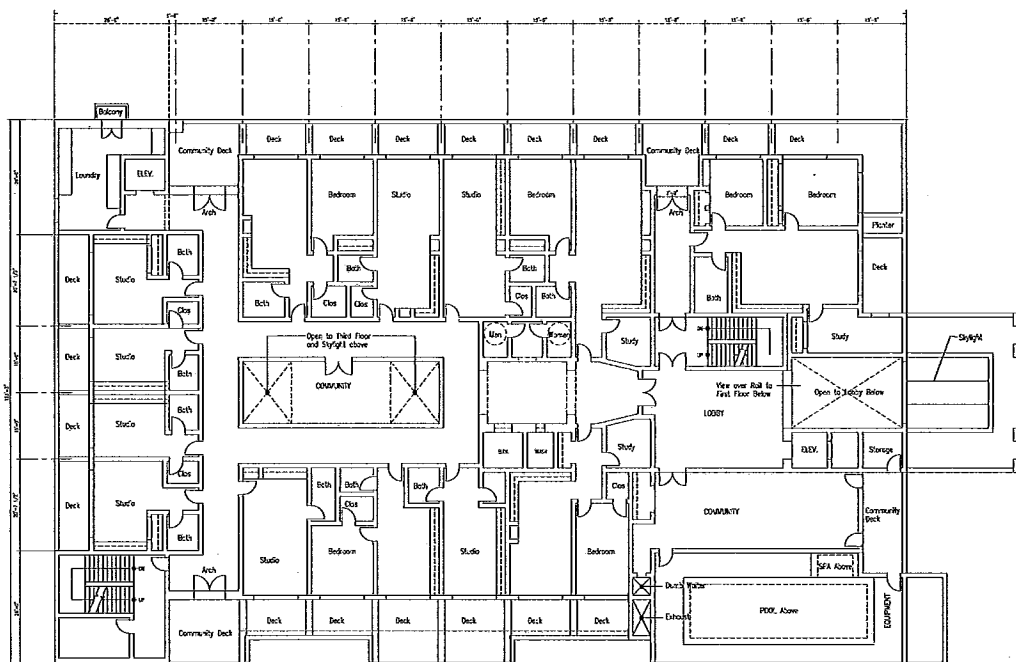


SOURCE: Imagine Capitola – City of Capitola General Plan Update

FIGURE 2: Existing Site Conditions



Existing Site Conditions

FIGURE 3: Site Plan - First & Second Floor Plans(36 total parking stalls)  First Floor Garage Plan Second Floor Plan

III. ENVIRONMENTAL CHECKLIST

Environmental Factors Potentially Affected by the Project: The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

✓	Aesthetics		Agriculture & Forest Resources	✓	Air Quality
✓	Biological Resources		Cultural Resources	✓	Geology / Soils
✓	Greenhouse Gas Emissions	✓	Hazards & Hazardous Materials	✓	Hydrology / Water Quality
	Land Use / Planning		Mineral Resources	✓	Noise
✓	Population / Housing	✓	Public Services		Recreation
✓	Transportation / Traffic	✓	Utilities / Service Systems	✓	Mandatory Findings of Significance

A. Instructions to Environmental Checklist

1. A brief explanation is required (see VI. "Explanation of Environmental Checklist Responses") for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question (see V. Source List, attached). A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that any effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated: applies where incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
5. Earlier Analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case a discussion should identify the following on attached sheets:
 - a) *Earlier analysis used.* Identify earlier analyses and state where they are available for review.

- b) *Impacts adequately addressed.* Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) *Mitigation measures.* For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
 7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
 8. The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluation each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

B. Use of Earlier Analyses

The project site is located within the service area of the City of Santa Cruz Water Department. In December 2011, the Santa Cruz City Council adopted the *2010 Urban Water Management Plan* (UWMP), which evaluates water supply and demand within the City's service area over the next 20 years. Additionally, the City of Santa Cruz updated its General Plan, which was adopted by the City Council in June 2012 and certified an EIR for the *General Plan 2030* at the same time. The EIR provides a comprehensive analysis of impacts of water demand within the City's service area. Both the UWMP and General Plan EIR assess future water demand within the City's water service area that is located outside Santa Cruz city limits.

The preparation of this Initial Study has drawn from data and analyses contained in both the City of Santa Cruz adopted 2010 UWMP and certified General Plan 2030 EIR. These documents are hereby "incorporated by reference" pursuant to the State CEQA Guidelines section 15150. Where an EIR or Negative Declaration uses incorporation by reference, the incorporated part of the referenced document shall be briefly summarized where possible or briefly described if the data or information cannot be summarized. The EIR analyses and conclusions and relevant findings of the 2010 UWMP are summarized in subsections 17(b,d) and 18(b) of this Initial Study. The documents are on file and may be reviewed at the City of Capitola during business hours (Monday through Friday, 8 AM to 12 PM and 1-5 PM), located at 420 Capitola Avenue, Capitola, CA. The documents are also available on the City of Santa Cruz website.¹

¹ City of Santa Cruz Planning Department: <http://www.cityofsantacruz.com/index.aspx?page=348> and City of Santa Cruz Water Department: <http://www.cityofsantacruz.com/Modules/ShowDocument.aspx?documentid=24687>.

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
1. AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?				✓
b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?				✓
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			✓	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			✓	
2. AGRICULTURE RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (V.4)				✓
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				✓
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				✓
d) Result in the loss of forest land or conversion of forest land to non-forest use?				✓
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?				✓
b) Violate any air quality standard or contribute to an existing or projected air quality violation?			✓	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			✓	
d) Expose sensitive receptors to substantial pollutant concentrations?			✓	
e) Create objectionable odors affecting a substantial number of people?				✓
4. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				✓
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				✓
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				✓
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			✓	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				✓
5. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines section 15064.5?				✓
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to section 15064.5?				✓
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				✓
d) Disturb any human remains, including those interred outside of formal cemeteries?				✓
6. GEOLOGY AND SOILS. Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
a) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?				✓
b) Strong seismic ground shaking?			✓	
c) Seismic-related ground failure, including liquefaction?				✓
d) Landslides?				✓
e) Would the project result in substantial soil erosion or the loss of topsoil?			✓	
f) Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			✓	
h) Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water.				✓
7. GREENHOUSE GAS EMISSIONS. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			✓	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				✓
8. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				✓
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			✓	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school?				✓
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				✓
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				✓
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				✓
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				✓
9. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements?				✓
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local ground water table level (for example, the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				✓
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site.				✓
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.				✓
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?			✓	
f) Otherwise substantially degrade water quality?			✓	
g) Place housing within a 100-year flood-hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (V.1a)				✓
h) Place within a 100-year flood-hazard area structures which would impede or redirect flood flows? (V.1a)				✓
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (V.1)				✓
j) Inundation by seiche, tsunami, or mudflow? (V.1a)				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
10. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?				✓
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				✓
c) Conflict with any applicable Habitat Conservation Plan or Natural Community Conservation Plan?				✓
11. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (V.1a)				✓
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? (V.1a)				✓
12. NOISE. Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies?		✓		
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?				✓
c) Substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			✓	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			✓	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				✓
13. POPULATION AND HOUSING. Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			✓	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				✓
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				✓
14. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or need for new or physical altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
a) Fire protection?			✓	
b) Police protection?			✓	
c) Schools?				✓
d) Parks?			✓	
e) Other public facilities?				✓
15. RECREATION. Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			✓	
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
16. TRANSPORTATION/TRAFFIC. Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			✓	
b) Conflict with an applicable congestion management program, including, but not limited to level of service standard and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?				✓
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location, that results in substantial safety risks?				✓
d) Substantially increase hazards due to a design feature (for example, sharp curves or dangerous intersections) or incompatible uses (for example, farm equipment)?				✓
e) Result in inadequate emergency access?				✓
f) Conflict with adopted policies, plans, or programs supporting alternative transportation (for example, bus turnouts, bicycle racks.)				✓
17. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				✓
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				✓
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				✓
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			✓	

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				✓
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				✓
g) Comply with federal, state, and local statutes and regulations related to solid waste?				✓
18. MANDATORY FINDINGS OF SIGNIFICANCE. Does the project:				
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				✓
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects.)			✓	
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				✓

IV. DETERMINATION:

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	✓
I find that the proposed project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.	
I find that the proposed project MAY have a potentially significant or a potentially significant unless mitigated impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	

TRy - B
Ryan Bane, Senior Planner

8/7/12
Date

V. SOURCE LIST

1. City of Capitola.
 - a) Adopted September 28, 1989. *General Plan City of Capitola*. Prepared by Freitas + Freitas.
 - b) Adopted February 11, 2010. "City of Capitola Housing Element of the General Plan 2007-2014."
2. "Imagine Capitola" – City of Capitola General Plan Update.
 - a) "General Plan Update Existing Conditions White Paper #1. March 2011. Prepared by Design, Community & Environment for the City of Capitola.
 - b) "White Paper #3 – Transportation & Parking". April 2011. Prepared by RBF Consulting and Kimley-Horn and Associates.
 - c) "White Paper #4 – Environmental Resources & Hazards". April 2011. Prepared by RBF Consulting.
 - d) "White Paper #5 – Environmental Resources & Hazards". April 2011. Prepared by RBF Consulting.
3. City of Santa Cruz.
 - a) June 26, 2012. Adopted. *General Plan 2030*.
 - b) April 2012. "City of Santa Cruz General Plan 2030 Final EIR."
 - c) September 2011. "City of Santa Cruz General Plan 2030 Draft EIR."
 - d) December 2011. Adopted. "City of Santa Cruz Urban Water Management Plan 2010."
4. California Department of Conservation. 2007. "Farmland Mapping and Monitoring Program."
5. Monterey Bay Unified Air Pollution Control District.
 - a) August 2008. *2008 Air Quality Management Plan for the Monterey Bay Region*.
 - b) February 2008. "CEQA Air Quality Guidelines."
 - c) May 18, 2011. Staff Report regarding "Presentation on Thresholds of Significance for Greenhouse Gases and Provide Suggestions to Staff for the Recommendation to be Presented at the June 2011 Board Meeting."
 - d) July 12, 2011. Staff Agenda Item for Board Meeting on June 15, 2011 regarding "Consider Adoption of a Resolution Approving Proposed Revisions to the District Consistency Procedure."
6. Donald Ballanti, Certified Consulting Meteorologist. June 22, 2012. "Greenhouse Gas Analysis for the Villa Capitola Project, Capitola, California."
7. Bowman & Williams. June 6, 2012. "Preliminary Storm Water Management Report for Senior Housing, APN: 034-181-17, 1575 38th Avenue, Santa Cruz, California."

8. RBF Consulting. June 8, 2012. "Forecast Trip Generation, On-site Parking Analysis and Pedestrian Warrant Analysis for the Proposed Villa Capitola Senior Housing Project."
9. Global Climate Change References:
 - a) California Air Resources Board. September 22, 2010 (Last Updated). "Greenhouse Gas Inventory Data – 2000 to 2008." Online at: <http://www.arb.ca.gov/cc/inventory/data/data.htm>
 - MAY 12, 2010. "California Greenhouse Gas Inventory for 2000-2008 – By — by Category as Defined in the Scoping Plan"
 - May 28, 2010. "Trends in California Greenhouse Gas Emissions for 2000 to 2008 – by Category as Defined in the Scoping Plan."
 - b) California Air Resources Board. December 2008. *Climate Change Proposed Scoping Plan – A Framework for Change.* December 2008. Online at: http://www.arb.ca.gov/cc/scopingplan/document/adopted_scoping_plan.pdf
 - c) California Climate Action Team. December 2010. "Climate Action Team Report to governor Schwarzenegger and the California Legislature." California Environmental Protection Agency.
 - d) California Governor's Office of Planning and Research. June 19, 2008. "CEQA and Climate Change: Addressing Climate Change Through California Environmental Quality Act (CEQA) Review."
 - e) California Natural Resources Agency. "2009 California Climate Adaptation Strategy." A Report to the Governor of the State of California in Response to Executive Order S-13-2008.
 - f) Bay Area Air Quality Management District. June 2010. "California Environmental Quality Act Guidelines." Online at: <http://www.baaqmd.gov/Divisions/Planning-and-Research/CEQA-GUIDELINES/Updated-CEQA-Guidelines.aspx>

VI. EXPLANATION OF ENVIRONMENTAL CHECKLIST RESPONSES

1. Aesthetics.

(a) Scenic Views. The proposed project is located within a developed commercial area within the City of Capitola. The City's General Plan does not identify any "vista points" in the project vicinity. The project site is not visible from a designated vista point nor is it within an identified or observed scenic view. There are no scenic views across or from the project site. The project would not obstruct or remove scenic coastal views as none exist in the area.

(b) Scenic Resources. The site contains seven trees, including two large pine trees, one redwood and four smaller ornamental trees. The two large pines are taller than other onsite trees and are visible in the immediate vicinity of the project site. Generally, trees are planted along 38th Avenue.

Impact Analysis. All onsite trees will be removed for project development. None of the trees are visually prominent or distinctive, and they do not represent a significant visual element of the surrounding area, which is characterized by existing commercial development with landscaping. The pine tree in the southeast corner of the site is the most visible and is prominent in the immediate vicinity of the project site, but it does not possess unique or unusual aesthetic features for this type of tree. Trees are planted along 38th Avenue, including redwood trees further south of the site, and as a result, the street appears lined with trees that partially screen some existing buildings. While any tree may be considered to possess aesthetic attributes, the trees on the project site do not possess qualities under which they would be considered scenic, such as being visually prominent from a wide area, visually distinctive and/or being an exceptional specimen of a particular species. Thus, the onsite trees are not considered a scenic resource, and the project would not have an adverse effect on scenic resources. Tree removal in relation to City tree removal regulations is reviewed below under subsection 4(e).

(c) Visual Effects upon Surrounding Area. The visual quality of the project vicinity is characterized primarily by a mix of developed commercial uses. Commercial uses are prominent along the segment of 38th Avenue in which the project site is located, including the Kings Plaza Shopping Center to the east and the Capitola Mall to the north. Commercial development dominates the visual character in the area, although some older homes of mixed styles and age are located further south of the project site along 38th Avenue. Trees are planted along 38th Avenue.

Impact Analysis. The proposed project would result in construction of a new three-story building within a predominantly commercial area. The building will occupy nearly the entire site. It will of similar scale and mass as the storage facility to the south and other larger commercial buildings in the area, including those at the Kings Plaza Shopping Center to the east and at the Capitola Mall to the north. The proposed building would be one taller than existing buildings, and would be more massive than residential properties to the west.

Building elevations provided as part of the site plan are shown on Figure 4. The overall building mass is broken up by architectural recesses and windows along each side. Additionally, the upper floors are slightly set back from the ground floor on the front and partially on the rear, which also reduces the overall building mass.

The building height of 42 feet exceeds the height limit of 27 feet for the CN zone in which the site is located. However, the proposal includes a rezoning to Planned Development in which building heights can vary. The project site is located at the edge of the Community Commercial district in which heights of 40 feet are permitted. Given this proximity, the proposed building height would not be substantially different than permitted heights in the adjacent district or some structures in the area and along 41st Avenue. The building height likely would be

most noticeable from residential properties to the west, although landscaping would be provided along this boundary.

Overall, the project building mass and scale is similar to other commercial buildings in the vicinity, and the project would not substantially degrade the visual character of the surrounding area. The building height would be greater than other nearby buildings, but is not likely to appear out of scale with vicinity commercial buildings. With the planned architectural and building design features, materials, and colors, the proposed building would not substantially degrade the existing visual character of the surrounding area. Removal of the onsite trees (as discussed above in subsection 1b) would not be highly noticeable given the commercial character of the area and other tree cover that is present along 38th Avenue. Therefore, the project would have a less-than-significant impact on the visual character of the surrounding area. Further review of design details will be made by the City Planning Commission as part of the Architectural and Site approval that is required for permitted or conditional uses in a CN district as provided in Chapter 17.63 of the City's Municipal Code.

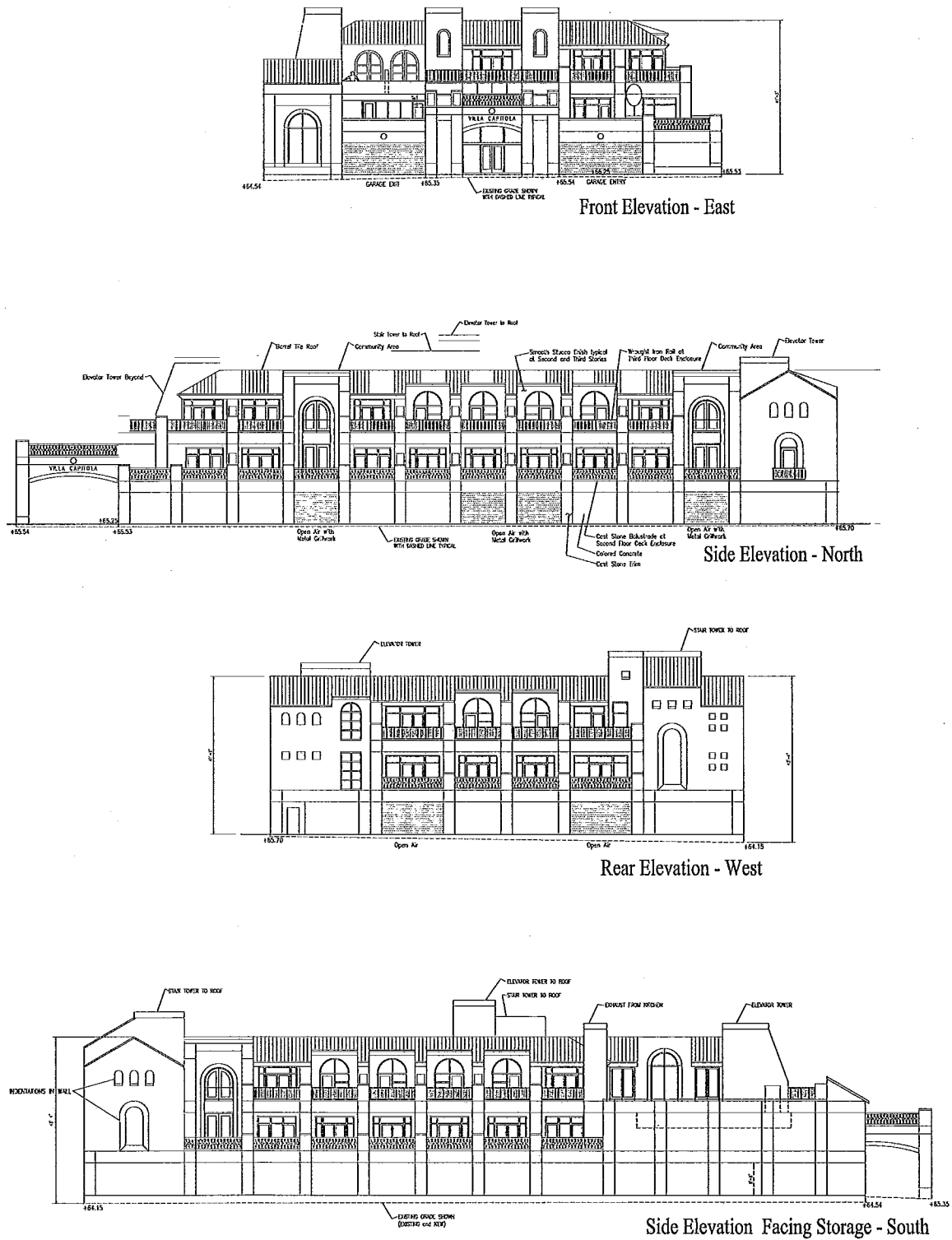
(d) Light and Glare. The project will not result in introduction of a major new source of light and glare, although there will be exterior building lighting typically associated with residential and planned development buildings. This is not expected to create significant visual impacts on the surrounding neighborhood. Further review of design details will be made as part of the Architectural and Site review process. Additionally, standard conditions of approval require that all lighting shall be shielded and directed on to the property, away from adjacent residential properties. Lighting intensity shall be reviewed and approved by staff prior to final occupancy and shall be reviewed by the Planning Commission upon receipt of a complaint.

2. **Agricultural and Forest Resources.** The project site is located in a developed urban area. The project site is not in agricultural production or located adjacent to or near agricultural uses. The project site, as all of Capitola, is designated "Urban and Built-Up" by the California Department of Conservation Farmland Mapping and Monitoring Program (SOURCE V.4). Similarly, the project site is located within a developed commercial area and is not designated for timber resource production. The proposed project would have no effects on agricultural or forest resources.

3. **Air Quality.**

(a) Consistency with Air Quality Management Plan. The proposed project will result in construction of 23 senior residential units. On June 15, 2011 the Monterey Bay Unified Air Pollution Control District (MBUAPCD) Board approved a new procedure for determining consistency with the *Air Quality Management Plan* (AQMP), effective September 1, 2011. In the past, the Association of Monterey Bay Area Governments (AMBAG) determined whether population increases would remain within AMBAG's population forecasts used in the AQMP. The new procedure uses AMBAG's adopted housing unit forecast instead of population (SOURCE V.5d).

FIGURE 4: Building Elevations



The Air District's adopted procedure was used to determine project consistency with the AQMP. The city of Capitola had 5,537 existing dwelling units as of January 1, 2012.² According to Capitola City staff, there are four residential units that are under construction or have been approved. With these four units and the project (23 units), there would be a total of 5,564 residential units within the City which is below the AMBAG forecast of 5,601 units projected in 2015. Therefore, the proposed project is consistent with the AQMP, and would not conflict with or obstruct implementation of the AQMP.

(b) Project Emissions. To protect public health, both the U.S. Environmental Protection Agency (EPA) and the California Air Resources Board (CARB) have established ambient air quality standards (AAQS) that are the maximum levels of ambient (background) air pollutants considered safe, with an adequate margin of safety to protect public health and welfare. The national standards address six criteria pollutants, including ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, fine particulate matter (both PM₁₀ and PM_{2.5}, which refer to particles less than 10 microns and 2.5 microns, respectively), and lead. The state standards, which are generally more stringent than the federal standards, apply to the same pollutants as the federal standards do, but also include sulfate, hydrogen sulfide, and vinyl chloride.

The North Central Coast Air Basin (NCCAB), in which the project site is located, is under the jurisdiction of the Monterey Bay Air Pollution Control District (MBUAPCD) and includes Santa Cruz, Monterey and San Benito Counties. The NCCAB is currently in attainment for the federal PM₁₀ (particulate less than 10 microns in diameter), ozone, nitrogen dioxide, sulfur dioxide, and carbon monoxide standards and is unclassified or attainment for the federal PM₂₅ and lead standards. The basin is designated non-attainment for the state ozone and PM₁₀ standards, and is in attainment for all other state standards, except for carbon monoxide for which it is unclassified (SOURCE V.5a).

Impact Analysis. The proposed project consists of construction of 23 senior housing units. There would be vehicular traffic increases associated with the proposed project, but emissions would not exceed MBUAPCD's criteria for significance. According to the MBUAPCD's CEQA Guidelines (February 2008), the proposed number of new residential units is below the District's screening level for potential significant ozone impacts for apartments and condominiums (SOURCE V.5b). Furthermore, the project does not include operations that would result in stationary emissions. Thus, the project would not violate current air quality standards, and would result in a less-than-significant impact related to air emissions.

Demolition, excavation and construction could result in generation of dust and PM₁₀ emissions. According to MBUAPCD's "CEQA Air Quality Guidelines" (as

² Per California Department of Finance, "E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011 and 2012" (May 2012). Online at: <http://www.dof.ca.gov/research/demographic/reports/estimates/e-5/2011-20/view.php>.

updated in June 2008), 8.1 acres could be graded per day with minimal earthmoving or 2.2 acres per day with grading and excavation without exceeding the MBUAPCD's PM₁₀ threshold of 82 lbs/day. The project site area is approximately 0.72 acres, which would be below the 2.2 acre grading threshold. Thus, potential construction-related PM₁₀ emissions would be less-than-significant.

(c) Cumulative Pollutant Increases. According to the MBUAPCD CEQA Guidelines, projects that are consistent with the "Air Quality Management Plan" (AQMP) would not result in cumulative impacts as regional emissions have been factored into the Plan. The MBUAPCD prepares air quality plans, which address attainment of the state and federal emission standards, and which, incorporate growth forecasts developed by AMBAG. As indicated in subsection 3(a) above, the proposed project is consistent with the AQMP, which takes into account cumulative development within the City, and thus, cumulative emissions have been accounted for in the Plan.

(d) Sensitive Receptors. The project site is located within a developed area of the City of Capitola and is surrounded primarily by commercial development, except for residential development on the west. As indicated above, the proposed project would not result in stationary emissions. Thus, the proposed project will not expose sensitive receptors to substantial pollutant concentrations.

Diesel particulate matter was identified as a toxic air contaminant (TAC) by the State of California in 1998. Following the identification of diesel as a TAC, the California Air Resources Board (CARB) developed a comprehensive strategy to control diesel PM emissions. The "Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles"—a document approved by CARB in September 2000—set goals to reduce diesel PM emissions in California by 75% by 2010 and 85% by 2020. This objective would be achieved by a combination of approaches (including emission regulations for new diesel engines and low sulfur fuel program). An important part of the Diesel Risk Reduction Plan is a series of measures for various categories of in-use on- and off-road diesel engines, which are generally based on the following types of controls:

- Retrofitting engines with emission control systems, such as diesel particulate filters or oxidation catalysts,
- Replacement of existing engines with new technology diesel engines or natural gas engines, and
- Restrictions placed on the operation of existing equipment.

Once the Diesel Risk Reduction Plan was adopted, the ARB started developing emission regulations for a number of categories of in-use diesel vehicles and equipment. In July 2007, the ARB adopted regulations for in-use, off-road diesel vehicles that will significantly reduce particulate matter emissions by requiring fleet owners to accelerate turnover to cleaner engines and install exhaust retrofits.

Impact Analysis. Demolition, excavation, grading and project construction could involve the use of diesel trucks and equipment that will emit diesel exhaust,

including diesel particulate matter, which is classified as a toxic air contaminant. Adjacent residents and businesses would be exposed to construction-related diesel emissions, but activities that would use diesel equipment would be of temporary and of short-term duration. Thus, potential exposure to adjacent residents is considered a less-than-significant impact.

There are existing residential units adjacent to the site on the west. Construction-related diesel emissions would be of limited duration (i.e., primarily during grading) and would be temporary. CARB has identified diesel exhaust particulate matter as a toxic air contaminant, and assessment of toxic air contaminant cancer risks is typically based upon a 70-year exposure period. Project excavation and construction activities that would utilize diesel-powered equipment would expose receptors to possible diesel exhaust for a very limited number of days out of a 70-year (365 day per year, 24-hour per day) period. Because exposure to diesel exhaust will be well below the 70-year exposure period, and given the limited and short-term duration of activities that would use diesel equipment, construction-related diesel emissions are not considered significant. Furthermore, the State is implementing emission standards for different classes of on- and off-road diesel vehicles and equipment that applies to off-road diesel fleets and includes measures such as retrofits. Additionally, Title 13 of the California Code of Regulations (section 2485(c)(1)) prohibits idling of a diesel engine for more than five minutes in any location. Thus, the project would not expose sensitive receptors to substantial pollutant concentrations, and potential exposure of sensitive receptors to diesel emissions and associated risks is considered a less-than-significant impact.

(e) Odors. The planned residential use will not create objectionable odors.

4. Biological Resources.

The project site is located along 38th Avenue, west of 41st Avenue, which is a major transportation and commercial arterial. The site is developed with a commercial salvage materials business, and is located within a developed commercial area. There are no known biological resources on the project site or in the vicinity. The site is not mapped in the City's General Plan as being located in a riparian corridor or monarch butterfly grove (SOURCE V.1a).

(e) Tree Removal. There are seven existing trees on the project property, including two large pine trees, one redwood and four smaller ornamental trees. The majority of the trees are located on the perimeter of the site. The trees on the project site are not considered "heritage" trees under City of Capitola regulations (Chapter 12.12 – Community Tree and Forest Management). However, removal of non-heritage trees requires a permit pursuant to section 12.12.160 of the City's Municipal Code with the following findings:

1. The tree removal is in the public interest based on one of the following:
 - a. Because of the health or condition of the tree, with respect to disease infestation, or danger of falling;
 - b. Safety considerations; or
 - c. In situations where a tree has caused, or has the potential to cause, unreasonable property damage and/or interference with existing utility services.
2. All possible and feasible alternatives to tree removal have been evaluated, including, but not limited to undergrounding of utilities, selective root cutting, trimming and relocation.
3. The type, size and schedule for planting replacement trees are specified and shall be concurrent with the tree removal or prior to it.
4. The removal of the tree would not be contrary to the purposes of Chapter 12.12 – “Community Tree and Forest Management” and Chapter 17.95 – Environmental Sensitive Habitats.
5. Replacement trees in a ratio of two to one as needed to ensure that with replacement trees, a canopy coverage of at least fifteen percent will result, and location(s) for tree replanting are selected, and/or as a last resort, in-lieu fees have been paid as a condition of the permit in accordance with Section 12.12.190. Replacement trees and/or in-lieu fees are not required if post-removal tree canopy coverage on the site or parcel will be thirty percent or more.

Impact Analysis. The proposed project will result in removal of seven trees, but none are considered heritage trees under City regulations. Removal would not conflict with City regulations with approval of a permit and replanting replacement trees. Thus, the impact is considered less-than-significant.

None of the existing onsite trees will be retained. An arborist report has not been prepared, and thus, the condition of the trees is unknown. The trees are on the edge of the property, except for four smaller trees within the site. The trees located at the edges of the property may ultimately damage sidewalks or utilities. The proposed landscaping plan shows planting of 15 olive trees along the eastern and northern property boundaries. This represents one tree over the a 2-to-1 replacement ratio required under City regulations, and thus, exceeds the City's replanting ratio requirement. Thus, it appears that planned tree removal would not conflict with City regulations, but City staff will provide further review as part of the tree removal permit process.

Existing redwood trees located on adjacent property to the south would be retained. These could be inadvertently damaged during grading and construction. Grading and soil compaction and inadvertent damage due to construction equipment could damage the root zones unless the trees and root zones are adequately protected during construction. Although no mitigation measures are required, the following Condition of Approval is recommended to ensure protection of adjacent trees.

RECOMMENDED CONDITION OF APPROVAL: Implement measures to protect existing redwood trees along the property boundary in order to minimize damage to the trees and their root zones during construction as recommended by a certified arborist review.

(f) Conflicts with Plans. There are no adopted Habitat Conservation Plans in the vicinity.

5. Cultural Resources. There are no historical resources on the project site.

(b) Archaeological Resources. According to the City maps, the project site is not located within an archaeologically sensitive area. The project site has been previously graded and disturbed. Thus, there would be no impacts to cultural resources. However, the following Condition of Approval is recommended in the event that unknown resources are discovered during project grading and excavation.

RECOMMENDED CONDITION OF APPROVAL: If archaeological resources or human remains are accidentally discovered during construction, work shall be halted within 50 meters (150 feet) of the find until it can be evaluated by a qualified professional archaeologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented. Disturbance shall not resume until the significance of the archaeological resources is determined and appropriate mitigations to preserve the resource on the site are established. If human remains are encountered during construction or any other phase of development, work in the area of discovery must be halted, the Santa Cruz County coroner notified, and the provisions of Public Resources Code 5097.98-99, Health and Safety Code 7050.5 carried out. If the remains are determined to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours as required by Public Resources Code 5097.

(c) Paleontological/Unique Geological Resources. No unique geologic features have been identified. The proposed demolition and construction of the proposed senior housing project will have no effect on any unanticipated paleontological resources.

6. Geology and Soils.

(a-c) Seismic Hazards. The project site is located in a seismically active region of California. There are no active faults which underlie the City of Capitola, but active faults are located nearby in the Santa Cruz Mountains and offshore in Monterey Bay (SOURCE V.1a). The regional faults of significance potentially affecting Capitola include the San Andreas, the Zayante, and the Palo Colorado-San Gregorio.

The most probable seismic hazards to Capitola are from the San Andreas Fault (in the Santa Cruz Mountains) and, further south, the Palo Colorado-San Gregorio fault. Seismic historical records of the area show that earthquakes of 6.5 – 7.0 magnitude occur periodically on the San Andreas Fault. The main trace of the San Andreas Fault is approximately nine miles northeast of Capitola. One of the largest earthquakes in the Santa Cruz area occurred on October 17, 1989 due to movement

on this fault and measured 7.1 on the Richter scale. The epicenter of the Loma Prieta earthquake was approximately five (5) miles southeast of Capitola (SOURCE V.2c).

The Zayante fault is located approximately five miles northeast of Capitola, and the Palo Colorado-San Gregorio is located approximately 14 miles southwest of Capitola. The California Division of Mines and Geology considers the Zayante fault active (SOURCE V.2c). The Palo Colorado-San Gregorio fault is not well understood, but is considered potentially active with an estimates maximum credible magnitude of 7.7 and a recurrence level of 800+ years (Ibid.).

The primary seismic hazard that could affect the project is seismic shaking. The site is located in an area subject to high seismic shaking hazards according to maps in the City's General Plan (SOURCE V.1a). Liquefaction, differential compaction of near surface soils, and lateral spreading can present seismic hazards during earthquakes. The potential for these hazards to occur are dependent on soil conditions and geologic patterns (SOURCE V.2c). Soil liquefaction occurs when loose, saturated sandy soil deposits lose internal strength and transform from a solid to a liquefied state due to reduced stresses within the soils mass. The site is in a low liquefaction potential zone (Ibid.).

The California Building Standards Code (CBC) design standards have a primary objective of ensuring public safety and a secondary goal of minimizing property damage and maintaining function during and following a seismic event. The CBC prescribes seismic design criteria for different types of structures, and provides methods to obtain ground motion inputs. The CBC also requires analysis of liquefaction potential, slope instability, differential settlement, and surface displacement due to faulting or lateral spreading for various categories of construction. Recognizing that the risk of severe seismic ground motion varies from place to place, the CBC provisions vary depending on location within the state.

Impact Analysis. The project site is located in an area of high seismic activity and will be subject to strong seismic shaking during an earthquake. Preparation of a geotechnical report will be required prior to issuance of a building permit per California Building Code requirements, and the building will be required to be designed in accordance with the latest edition of the California Building Code, which sets forth structural design parameters for buildings to withstand seismic shaking without substantial structural damage. Structures built in accordance with the latest edition of the California Building Code and recommendations in the required geotechnical report have an increased potential for experiencing relatively minor damage which should be repairable. Thus, this is considered a less-than-significant impact.

(e,g) Soils and Erosion. According to the Soil Conservation Service *Soil Survey of Santa Cruz* (August 1980), onsite soils are classified as Pinto loam and Elkhorn sandy loam. These soils are classified as having a low to moderate shrink-swell potential depending on soil depth, and erosion hazard is slight to moderate.

Impact Analysis. Soils with potential shrink-swell conditions could result in structural damage if not properly designed. The required geotechnical report will set forth site preparation and foundation requirements that will be address onsite soil constraints determined through soil borings and testing. Thus, impacts related to soils constraints are considered less-than-significant.

The onsite project soils are classified as having a slight to moderate erosion hazard. Project development will include excavation and grading, although the project site is relatively flat and located within a developed urban area. Approximately 1,485 cubic yards of material will be excavated, which will require submittal of a grading plan with erosion control measures in accordance with City regulations. The project site is not located adjacent to existing water bodies. With implementation of required erosion control measures as part of the required grading plan, the potential for offsite erosion and inadvertent transport of soils into the municipal storm drain system is considered less-than-significant. Although mitigation measures are not required, the following Condition of Approval is recommended.

RECOMMENDED CONDITION OF APPROVAL: Implement erosion control measures, including, but not limited to: conduct grading prior to the rainy season if possible; protect disturbed areas during the rainy season; implement other Best Management Practices (BMPs) during construction to protect water quality; and immediately revegetate disturbed areas.

(h) Soil Suitability for Septic Systems. The site is currently served by sewer as is the balance of the City, therefore there are no impacts associated with new septic systems.

7. Greenhouse Gas Emissions.

(a) Greenhouse Gas Emissions. Climate change refers to any significant change in measures of climate, such as average temperature, precipitation, or wind patterns over a period of time. Climate change may result from natural factors, natural processes, and human activities that change the composition of the atmosphere and alter the surface and features of the land. Significant changes in global climate patterns have recently been associated with global warming, an average increase in the temperature of the atmosphere near the Earth's surface, attributed to accumulation of greenhouse house gas (GHG) emissions in the atmosphere. Greenhouse gases trap heat in the atmosphere, which in turn heats the surface of the Earth. Some GHGs occur naturally and are emitted to the atmosphere through natural processes, while others are created and emitted solely through human activities (SOURCE V.9d).

Climate change models predict changes in temperature, precipitation patterns, water availability, and rising sea levels, and these altered conditions can have impacts on natural and human systems in California (SOURCE V.9c). Changes in temperature,

precipitation, and sea levels can affect California's public health, habitats, ocean and coastal resources, water supplies, agriculture, forestry, and energy use (Ibid.), as well as result in increased droughts and flooding. Potential global warming impacts in California may include, but are not limited to, loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years. Secondary effects are likely to include a global rise in sea level, impacts to agriculture, changes in disease vectors, and changes in habitat and biodiversity (SOURCE V.6).

The most common GHG that results from human activity is carbon dioxide, followed by methane and nitrous oxide (SOURCE V.9d). The primary contributors to GHG emissions in California (as of 2008) are transportation (about 37%), electric power production (24%), industry (20%), agriculture and forestry (6%), and other sources, including commercial and residential uses (13%). Approximately 81% of California's emissions are carbon dioxide produced from fossil fuel combustion (SOURCE V.9a).

The State of California passed the Global Warming Solutions Act of 2006 (AB 32), which seeks to reduce GHG emissions generated by California. The Governor's Executive Order S-3-05 and AB 32 (Health & Safety Code, § 38501 et seq.) both seek to achieve 1990 emissions levels by the year 2020. Executive Order S-3-05 further requires that California's GHG emissions be 80 percent below 1990 levels by the year 2050. AB 32 defines GHGs to include carbon dioxide, methane, nitrous oxide, hydrocarbons, perfluorocarbons and sulfur hexafluoride.

The California Air Resources Board (CARB) is the lead agency for implementing AB32. In accordance with provisions of AB 32, CARB has completed a statewide Greenhouse Gas (GHG) Inventory that provides estimates of the amount of GHGs emitted to, and removed from, the atmosphere by human activities within California. Based on review of this inventory, in December 2007 CARB approved a 2020 emissions limit of 427 CO₂ equivalent million metric tons (MMT CO₂e)³, which is equivalent to the 1990 emissions level. In accordance with requirements of AB32, a Scoping Plan was released in October 2008 and adopted by CARB in December 2008. Key elements for reducing the state's greenhouse emissions to 1990 levels by 2020 include:

- Expanding and strengthening existing energy efficiency programs as well as building and appliance standards;
- Achieving a statewide renewables energy mix of 33 percent;
- Developing a California cap-and-trade program that links with other Western Climate Initiative partner programs to create a regional market system;

³ The CO₂ equivalent emissions are commonly expressed as "million metric tons of carbon dioxide equivalent (MMT CO₂e)". The carbon dioxide equivalent for a gas is derived by multiplying the tons of the gas by the associated Global Warming Potential (GWP).

- Establishing targets for transportation-related greenhouse gas emissions for regions throughout California, and pursuing policies and incentives to achieve those targets;
- Adopting and implementing measures pursuant to existing State laws and policies, including California's clean car standards, goods movement measures, and the Low Carbon fuel Standard; and
- Creating targeted fees, including a public goods charge on water use, fees on high global warming potential gases, and a fee to fund the administrative costs of the State's long-term commitment to AB 32 implementation (SOURCE V.9b).

The Scoping Plan identifies 18 emissions reduction measures that address cap-and-trade programs, vehicle gas standards, energy efficiency, low carbon fuel standards, renewable energy, regional transportation-related greenhouse gas targets, vehicle efficiency measures, goods movement, solar roofs program, industrial emissions, high speed rail, green building strategy, recycling, sustainable forests, water and air (SOURCE V.9b).

Senate Bill 375, signed in 2008, aims to reduce greenhouse gas emissions by discouraging urban sprawl and reducing vehicle miles traveled. Among other things, SB 375 requires regional transportation plans to include a "sustainable community strategy" (SCS) to meet greenhouse gas reduction targets set by the California Air Resources Board. AMBAG is currently developing such a plan in cooperation with local jurisdictions. To encourage smart growth development, SB 375 also provides streamlined review under CEQA for certain projects consistent with the SCS: transit priority projects (projects comprising at least 50 percent residential use, a residential density of at least 20 units per net acre and located within one half mile of a regional transit corridor) and residential or mixed use projects with a residential component requiring at least 75 percent of the total square footage.

Senate Bill 375 established a basis for identifying regional reduction targets related to transportation and land use. It is one of the CARB's Scoping Plan strategies to reduce greenhouse gas emissions from the transportation sector, and the Scoping Plan estimates a reduction of statewide GHG emissions by 5 million metric tons (SOURCE V.9b), approximately 3% of the total statewide GHG emissions reduction identified in the strategies outlined in the *Scoping Plan*. In order to achieve these reductions, SB 375 requires metropolitan transportation plans to include a "Sustainable Communities Strategy" (SCS) to meet GHG reduction targets for vehicle travel. In September of 2010, the CARB adopted regional per capita greenhouse gas targets for each of California's eighteen metropolitan planning regions as required under SB 375. The Monterey Bay area's specific mandate is to reduce per capita greenhouse gas emissions from cars and light trucks to 2005 levels by 2020 and to reduce per capita levels to 5% below 2005 levels by 2035. This results in a regional per capita GHG emissions target of 14.1 pounds per day per capita for 2020 and 13.4 pounds per day per capita for 2035.

The City of Capitola is in the process of updating its General Plan, which will include preparation of a Climate Action Plan. The Association of Monterey Bay Area Governments (AMBAG) completed GHG emissions inventories for all member jurisdictions, including the City of Capitola. The City of Capitola inventory identifies citywide GHG emissions as well as emissions produced solely from City government operations occurring in the year 2005. In 2005, approximately 76,020 metric tons of CO₂ were emitted within the community of Capitola (SOURCE V.2c).

Impact Analysis. The proposed project will result in the construction of 23 senior housing units. The project site currently is developed with a materials salvage yard that will be demolished. The project will result in an increase in GHG emissions, primarily due to project-related traffic, energy use, and construction-related traffic and energy use.

The project is estimated to result in a net increase of GHG emissions of approximately 296 metric tons CO₂e annually due to project operation (i.e., traffic, energy use, etc.), and approximately 772 metric tons due to construction (SOURCE V.6). To date, no state agency has adopted significance criteria for GHG emissions. In June 2010, the Bay Area Air Quality Management District (BAAQMD) in the San Francisco Bay area revised and adopted its CEQA Guidelines, which include thresholds of significance for greenhouse gas emissions. The BAAQMD was the first regional air district to adopt numeric thresholds for greenhouse gas emissions from residential and commercial projects. The guidelines identified 1,100 MT CO₂e/yr or 4.6 MT/year per service population (residents/employees) as a numeric emissions level below which a project's contribution to global climate change would be less than "cumulatively considerable" (SOURCE V.9f).

The project site is located within the jurisdiction of the Monterey Bay Unified Air Pollution Control District (MBUAPCD), which to date, has not adopted significance criteria or thresholds. However, in June 2011, the MBUAPCD initiated a process to develop GHG emission thresholds for project and plan level impact analyses. At that time, District staff recommended a threshold of 4.6 MT/year per service population (residents/employees) for land use projects, which is similar to the threshold adopted by the BAAQMD. This approach is based on the total emissions estimated for the land use sector for the state of California divided by the state's projected service population. This reflects the total number of jobs and residents provided by a project, such that the project would ensure consistency with the goals of AB 32 (i.e., 1990 GHG emissions levels by 2020) (Ibid.). GHG thresholds are under review by the MBUAPCD, but have not yet been adopted.

Although, neither the city of Capitola nor the MBUAPCD has adopted GHG emission significance thresholds, the project's estimated GHG emissions (about 296 MT/year CO₂e) are below significance thresholds proposed in the San Francisco Bay area (1,100 MT/yr). While this threshold is adopted for the San Francisco Bay area, the area is adjacent to the MBUAPCD region, and it does support the conclusion that the project-level emissions are less

than significant and less than cumulatively considerable. The estimated increase in residential population resulting from the project would represent 8.5 MT/year. This is below the AMBAG target of 14.1 MT/year. (See discussion below under section 13 regarding estimated project population.)

The project's estimated GHG emissions are below targets adopted by AMBAG and significance thresholds adopted by the BAAQMD. The GHG emissions calculated by the project would be partially offset by emissions related to the existing onsite use. It is also expected that GHG emissions resulting from the proposed project would be partially offset by the incorporation of energy and water conserving features and "green" building designs that would be required under State building regulations. The applicant has indicated that the project will be a "LEED" certified development. Furthermore, the project site is within walking distance to commercial and shopping facilities, and it is located within an area served by transit, bicycle and pedestrian facilities. Bus stops are located near the site on Capitola Road and 38th Avenue within walking distance to the project site. The project represents infill development with a density of approximately 22 units per acre. The proposed residential use and proximity to a transit corridor are consistent with SB375 priority projects. Therefore, greenhouse gas emissions resulting from development of the project is considered a less-than-significant impact, and the project's incremental effect is less-than-cumulatively considerable.

(b) Conflict with Applicable Plans. The project would not conflict with implementation of state plans adopted for the purpose of reducing greenhouse gas emissions. The City of Capitola is in the process of updating its General Plan and preparing a Climate Action Plan to address citywide greenhouse emissions, but a plan has not been completed or adopted.

8. Hazards.

(a,c-d) Hazardous Materials/Wastes. The proposed project does not involve the transport, use, or disposal of hazardous materials or wastes and would not result in creation of a public health hazard. The project consists of a 23-unit senior housing project. As such, the proposed use will not result in creation of risks associated with hazardous material use, exposure to health hazards, or creation of a health hazard.

(b) Hazardous Materials Release. The project site is currently used as a commercial salvage yard that sells used windows, doors, cabinets, appliances, and tiles and other building components. Several older structures are present on the site. The existing onsite buildings will be demolished. It is not known whether existing buildings may contain asbestos or lead-based paint. Any demolition of buildings containing asbestos would be required to comply with the Monterey Bay Unified Air Pollution Control District's Rule 306 that requires reporting and investigation of certain buildings with asbestos as established under federal law. The National Emissions Standards for Hazardous Air Pollutants (NESHAPS) as set forth in the

Code of Federal Regulations—40CFR61—is designed to prevent “visible emissions” of asbestos when buildings are renovated or demolished. Under federal law, a building must be inspected for asbestos prior to demolition or renovation, and federal and state agencies must be notified prior to demolition. According to the State Air Resources Control board, removal and disposal of asbestos procedures and controls must be specified in the notification form.

Impact Analysis. Construction workers may be exposed to asbestos during demolition of existing buildings if found. However, demolition would need to comply with local and federal standards and permit requirements if asbestos is found. Therefore, this is considered a less-than-significant impact. Although mitigation measures are not required, the following Conditions of Approval are recommended.

RECOMMENDED CONDITION OF APPROVAL: All demolition activities to be undertaken according to MBUAPCD Rule 306 requirements and OSHA standards to protect workers from asbestos and lead based paint, if found within buildings to be demolished. Specific measures include air monitoring during demolition/construction activities, which include existing buildings.

RECOMMENDED CONDITION OF APPROVAL: Any building materials classified as hazardous materials will be disposed of in conformance with Federal, State, and local laws.

(e-f) Airport Safety. The project site is not located near a public airport or private airstrip.

(g) Emergency Response. The site location and scale have no impact on emergency response or emergency evacuation.

9. Hydrology.

(a-b) Water Quality Standards and Groundwater. The project is located on a developed site within a developed urban area and will not affect groundwater recharge.

(c-e) Drainage. The City of Capitola maintains its street drainage systems and relies on the County to provide major storm drain services through the Santa Cruz County Flood Control & Water Conservation District Zone 5. The infrastructure associated with flood protection and stormwater drainage includes underground systems; above ground drainage ditches and water courses; pump stations, catch basins and outfalls. Storm drainage from most of the 41st Avenue area flows to a Santa Cruz County flood control drainage basin near 38th Avenue/Brommer Street, and then flows into Moran Lake, north and west of Capitola (SOURCE V.2d). Capitola prepared a Draft Stormwater Management Plan in 2008 that contains policies and measures to

implement best management practices related to its drainage infrastructure, including outfall inspection and cleaning, annual storm drain cleaning in the fall, and zero discharge sidewalk cleaning (Ibid.).

Impact Analysis. The proposed project will result in an increase of impervious surfacing, although the site currently contains impervious surfacing due to the presence of buildings and sheds. The proposed project would result in approximately 26,600 square feet of impervious surfacing, including replacement of approximately 50% of the existing impervious surfacing on the site (SOURCE v.7). Runoff flows from the site will increase from 0.37 cubic feet per second (cfs) to 1.18 cfs for a 10-year storm event and from 0.48 cfs to 1.56 cfs for a 25-year storm event (Ibid.). The project will not alter existing drainage patterns. All site runoff from roof and hardscape areas will be routed to an underground detention system, consisting of a chamber that will provide detention storage (Ibid.). Detained runoff will be released at pre-development rates to an offsite storm drain system that ultimately discharges to the County-maintained detention basin located at the southeast corner of the Brommer and 39th Avenue intersection. Thus, project runoff and drainage is considered a less-than-significant impact. Drainage improvements will be required to be designed in accordance with City standards and Public Works requirements.

(f) Water Quality. Within urbanized areas such as the City of Capitola, pollutants frequently associated with storm water include sediment, nutrients, oil and grease, heavy metals, and litter. The primary sources of storm water pollution in urban areas include automobiles, parking lots, landscape maintenance, construction, illegal connections to the storm water system, accidental spills and illegal dumping.

Urban runoff and other "non-point source" discharges are regulated by the 1972 Federal Clean Water Act (CWA), through the National Pollutant Discharge Elimination System (NPDES) permit program that has been implemented in two phases through the California Regional Water Quality Control Boards (RWQCB). Phase I regulations, effective since 1990, require NPDES permits for storm water discharges for certain specific industrial facilities and construction activities, and for municipalities with a population size greater than 100,000. Phase II regulations expand the NPDES program to include all municipalities with urbanized areas and municipalities with a population size greater than 10,000 and a population density greater than 1,000 persons per square mile. Phase II regulations also expand the NPDES program to include construction sites of one to five acres.

Cities and districts maintaining stormwater systems must obtain coverage under a NPDES stormwater permit and implement stormwater pollution prevention plans or stormwater management programs (both using best management practices) that effectively reduce or prevent the discharge of pollutants into receiving waters. For most jurisdictions, the best management practices have resulted in higher operations and maintenance costs for their stormwater systems. The City of Capitola is working on a joint effort with other jurisdictions to develop guidelines to implement

the state's requirement for storm water retention on new construction sites (SOURCE V.2d).

Impact Analysis. Project runoff would not result in significant water quality degradation as the proposed parking area will be an enclosed parking garage as part of the first floor, which would limit urban pollutants from vehicles from entering storm drainage facilities. Additionally, the project stormwater management plan calls for use of Best Management Practices (BMPs) to treat runoff prior to discharge into the underground detention basin, which may consist of treating runoff through vegetated areas or by utilizing a mechanical treatment unit (SOURCE V.7). Thus, no impacts to water quality are anticipated as a result of project stormwater runoff.

Project excavation and grading could result in potential off-site transport of sediments into the municipal storm drain system. An erosion control plan has not yet been prepared. However, as discussed in subsection 6(e,g) above, project grading is regulated by the City, which requires submittal of a grading plan with erosion control measures. Implementation of erosion control measures would prevent sediments from inadvertently entering storm drains.

- 10. Land Use and Planning.** The project is located within a developed area of the city of Capitola, and is located on a site that is currently developed. The proposed demolition of the existing salvage yard and development of the proposed senior housing project would not divide an established community. There are no known Habitat Conservation or Natural Community Conservation Plans that would be applicable to the site.

(b-c) Consistency with Local Policies/ Plans. The project site is designated for commercial uses in the City's General Plan and Zoning Ordinance. The CN (Neighborhood Commercial) zone district allows multiple residential with the issuance of a Conditional Use Permit. However, the project includes a proposed rezoning to a PD (Planned Development) district. As indicated in the City's current Housing Element (SOURCE V.1b), development standards in the PD zone are flexible, tailored to the constraints of the site and needs of the development. The Housing Element identifies the PD zone as a way to allow site-specific density increases. Additionally, the project site is identified as a housing opportunity site in the Housing Element. The project does not conflict with any policies or regulations adopted for the purpose of avoiding or mitigating an environmental impact.

- 11. Mineral Resources.** The General Plan determined that no known mineral resources were located within the General Plan Area which would be of value to the region or state, and the site is already developed with a residential use.

12. Noise.

(a-b) Noise Exposure. The project site is not located near an airport or private airstrip. However, the site is located within a commercial area that is affected by traffic noise, primarily along Capitola Road and 41st Avenue. According to information developed as part of the City's General Plan update, the project site is located with an area that could experience very high noise intensity levels, although specific ambient noise levels are not identified (SOURCE V.2c).

The City General Plan identifies land use compatibility standards for noise levels. For multi-family residential uses, normally acceptable exterior noise levels 60-65 decibels and conditionally acceptable levels are identified as 60-70 decibels. These standards indicated that new development in a conditionally acceptable noise range should be undertaken only after a detailed analysis of noise reduction requirements is made. Interior noise levels are limited to 45 decibels pursuant to state regulations.

Impact Analysis. The proposal consists of construction of 23 senior housing units. Project interior and outdoor areas may be exposed to noise levels that exceed City standards due to traffic noise along 38th Avenue and nearby Capitola Road. This is considered a potentially significant impact.

The City of Capitola General Plan sets forth noise and land use compatibility standards. Noise levels of 60 to 70 CNEL are considered conditionally acceptable for multi-family residential uses, and may need additional noise insulation or attenuation in building designs. City and State standards require interior noise levels of 45 decibels (dB) or less. Closed windows, building materials and design features, such as insulation and noise-attenuating windows, can reduce interior noise levels. Preparation of an acoustical study as recommended in the City's General Plan (Policy 8) with Implementation of recommendations in the study will reduce the impact to a less-than-significant level.

MITIGATION MEASURE 1: Require preparation of an acoustical study with building permit submittal and require building plans to incorporate any recommended building or window design measures, if needed to achieve required indoor noise levels.

***Monitoring:** Include measure as Condition of Project Approval. Require applicant to submit acoustical study to Planning Department staff prior to construction for approval. City Planning and Building staff are responsible for reviewing building plans to ensure recommended measures are incorporated into the building design.*

(c) Permanent Noise Increases. The immediate project vicinity is characterized by commercial uses, except for residential uses to the west. The proposed residential uses would not result in significant increases in ambient noise levels, especially with regards to existing commercial business activity and traffic. A swimming pool is

proposed on the third floor along the 38th Avenue frontage, and would be located away from existing residences. There is no planned exterior mechanical equipment that would generate increased sound levels or noise.

(d) Temporary Noise. There will be a temporary increase in existing noise levels during demolition, grading and construction. Adjacent residential uses to the west are considered sensitive receptors. Anticipated equipment includes, but is not limited to equipment that would be used for excavation, grading, and building construction, as well as trucks.

Impact Analysis. Construction activities could cause temporary annoyance and activity interference at adjacent residences. Construction-related noise levels would vary throughout the day, depending on the type of equipment in use at any one time. Conventional construction activities are expected to generate noise levels in the range of 75 to 85 decibels at a distance of 50 feet. Noise levels would decrease with distance from the site. Noise levels associated with construction will vary throughout the construction period and throughout any given day, depending on the type of equipment in use. Noise levels associated with use of heavy equipment would be intermittent throughout a given day. Because construction-related impacts are temporary and noise levels are variable, construction-related noise impacts are considered less-than-significant. Although mitigation measures are not required, Best Management Practices are recommended as a Condition of Approval to be included in the project construction specifications.

RECOMMENDED CONDITION OF APPROVAL: Require implementation of the following measures during construction:

- Prohibit construction on weekends and limit construction to weekdays between 8 AM and 5 PM.
- Require proper maintenance of construction equipment.
- Require all stockpiling and vehicle staging areas and stationary noise-generating construction equipment to be located as far as possible from nearby residences as practicable.
- As part of construction specifications, require all equipment to be kept in good repair and fitted with superior quality mufflers. All equipment shall be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated.
- Require the contractor to assure that mobile noise-generating equipment and machinery are shut off when not in use.

13. Population and Housing.

(a) Population Growth. The city of Capitola had 5,537 existing dwelling units as of January 1, 2012 with a total population of 9,981 residents.⁴ The proposed project will result in construction of 23 senior housing units. The resulting population increases is estimated at approximately 35 new residents assuming one person per studio unit and up to two persons per one- and two-bedroom units. The City's overall average household size is 2.124 residents per dwelling unit. The City's population would total 10,016 residents with the proposed project, which would not AMBAG's population forecast of 10,222 residents by the year 2015. Thus, the population expected with the proposed project is within population growth projections for the City, and the project would not result in a substantial increase in population growth.

(b-c) Removal of Housing/Displacement of People. The project site currently is in commercial use, and the project will not result in removal of existing housing or displacement of people.

14. Public Services.

(a-b) Fire and Police Protection Services. The proposed project will be served by existing services and utilities. The project will have no measurable effect on existing public services in that the incremental increase in demand will not require expansion of any services to serve the project. Construction of new fire or police facilities to serve the project would not be warranted. New development will be required to install automatic fire sprinklers and alarms in accordance with City requirements and comply with other Fire Department recommendations regarding access. Thus, the proposed project would not result in significant impacts to fire and police protection services.

(c) Schools. The proposed project would result in construction of 23 senior housing rental units. As a senior housing project, there would be no increase in study enrollments or impacts to existing school facilities.

(d) Parks. See discussion below under subsection 15 – Recreation.

15. Recreation.

The proposed project's net increase of 23 senior residential units and the associated population of 35 estimated residents will result in an incremental increased demand for recreational facilities, but is not expected to result in a significant increased use to existing parks and facilities to the extent that a substantial physical deterioration would occur. The project does provide onsite swimming pool and spa.

⁴ Per California Department of Finance, "E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011 and 2012" (May 2012). Online at: <http://www.dof.ca.gov/research/demographic/reports/estimates/e-5/2011-20/view.php>.

16. Transportation/Traffic.

(a-b,f) Traffic and Circulation. The project site is located on 38th Avenue, just south of Capitola Road and west of 41st Avenue. 38th Avenue is identified as a collector street in the City's existing General Plan, but is identified as a "minor" arterial in the background reports prepared for the General Plan Update that is in progress (SOURCE V.2b). The Capitola Road/38th Avenue intersection is signalized. There are no congestion management programs in effect in Capitola or county of Santa Cruz. The proposed project would not conflict with adopted policies or plans supporting alternative transportation.

Impact Analysis. The proposed project is estimated to result in an increase in daily traffic, but would result in reduced trips during peak hours. Thus, increased traffic as a result of the project is considered a less-than-significant impact.

The proposed project is estimated to result in a net increase of 39 daily weekday trips based on trip generation rates for senior housing and warehouse uses published by the Institute of Transportation Engineers (SOURCE V.8). Traffic from the existing salvage yard was deducted from the total trips generated by the proposed senior housing project. The proposed project is estimated to result in a slight decrease in AM and PM peak trips compared to the existing use. The addition of approximately 40 project trips to study intersections throughout the day would not have a noticeable effect. Thus, the project's traffic would result in a less-than-significant impact, and no mitigation measures are required.

(d-e) Access. Site access for the proposed project is planned via one inbound driveway and one outbound driveway located along 38th Avenue. Due to the site location, the proposed driveways are planned to be offset from the two existing driveways serving the existing retail center located across the project site on 38th Avenue. The project design would not result in increased hazards or inadequate emergency access.

17. Utilities and Service Systems.

The proposed project will be served by existing utilities and will have no measurable effect on existing sewer, water, or storm drainage utilities in that the incremental increased demand will not require expansion of any of those services or construction of new facilities to serve the project.

(a-b, e) Wastewater Collection and Treatment. Sanitary sewer service for the City of Capitola is provided under contract through the Santa Cruz County Sanitation District, which provides sewage collection and disposal services to the Live Oak, Capitola, Soquel, and Aptos areas. The City of Capitola is not responsible for nor has the authority to maintain the sanitary sewers. The District's customers generate approximately 5-6 million gallons a day (mgd) of wastewater that flows to the Lode Street treatment facility and is then pumped to the City of Santa Cruz wastewater treatment plant at Neary Lagoon (SOURCE V.2d).

Wastewater treatment is provided by the City's wastewater treatment plant that has an average dry weather flow capacity of 17 million gallons per day (mgd) and currently operates at approximately 62 percent of its capacity with a remaining capacity of approximately 10.5 mgd. As part of the total capacity, the Santa Cruz County Sanitation District has treatment capacity rights of 8 million gallons per day. The Sanitation District contributes 5.5 mgd with a remaining capacity of 2.5 mgd (SOURCE V.3b). The treatment plant has adequate capacity to serve the project, which is estimated to generate approximately 0.001 mgd of wastewater based on a conservative estimate that 90 percent of the estimated project water use would result in wastewater generation.

(b,d) Water Supply. The project site is located within the service area of the City of Santa Cruz Water Department. The City of Santa Cruz Water Department serves approximately 22,000 connections in an approximate 20 square mile area that includes lands within existing City limits, a portion of UCSC, a portion of Live Oak in the unincorporated area of Santa Cruz County, a small part of the City of Capitola and coastal agricultural lands outside City limits.

In December 2011, the Santa Cruz City Council adopted the *2010 Urban Water Management Plan* (UWMP) in accordance with State law, which evaluates water supply and demand within the City's service area over the next 20 years. Additionally, the City of Santa Cruz updated its General Plan, which was adopted by the City Council in June 2012. The City of Santa Cruz *General Plan 2030* EIR was certified at the same time. The EIR provides a comprehensive analysis of impacts of water demand within the City's service area. Both the UWMP and General Plan EIR assess future water demand within the City's water service area that is located outside Santa Cruz city limits based on population growth projections developed by the Association of Monterey Bay Area Governments (AMBAG). The following section summarizes background information contained in these documents, which are incorporated by reference as indicated in section III.B of this Initial Study. A summary of existing conditions is presented; the full water supply review and analysis is provided on pages 4.5-1 to 4.5-44 of the Draft EIR volume and pages 3-2 to 3-19 of the Final EIR volume.)

Water Supplies. The City's water system is comprised of four main sources of supply: North Coast sources; San Lorenzo River diversions; Loch Lomond Reservoir; and Live Oak wells. On average, about 84 percent of the City's annual water supply needs are met by surface diversions from the coastal streams and San Lorenzo River, while approximately 12 percent is supplied by Loch Lomond Reservoir and four percent of the supply is derived from the Live Oak Well system (SOURCE V.3d). Major facilities include two water treatment plants, several pump stations and 16 distribution reservoirs storing almost 15 million gallons of treated water. There are also about 300 miles of water pipelines throughout the service area (Ibid.).

Water production has fluctuated over the past ten years; annual production has ranged from a high of nearly 4,500 MGY in 2000 to a low of approximately 3,200

MGY in 2009 (SOURCE V.3d). Average water production between 1985 and 2010 was approximately 3,900 MGY, while average water production between 2006 and 2010 averaged approximately 3,500 MGY (Ibid.).

The 2010 UWMP estimates future water supplies in the year 2030 as 4,160 MGY, depending on the outcome of negotiations between the City and regulatory agencies regarding releases for fish habitat. Continued access to the same amount of North Coast supply sources will depend on the outcome of a Section 10 "incidental take" permit application and accompanying Habitat Conservation Plan (HCP) that are being prepared by the City pursuant to the federal Endangered Species Act for City activities designed to prevent take of a listed federal species. The permit and plan must be approved by the U.S. Fish and Wildlife Service and NOAA National Marine Fisheries Service (NMFS). The City entered into the HCP process in 2001, and over the past 6 years, the City has coordinated and met with U.S. Fish and Wildlife Service and NMFS on HCP-related issues and has conducted a number of studies. A draft HCP has not yet been completed, but the City has prepared and submitted a Draft Conservation Strategy that identifies minimum in-stream flows at City diversions to minimize the effect of diversions on habitat conditions for steelhead and coho salmon.

The water supply estimates in the 2010 UWMP were developed using the City's water supply operations model and incorporates the best available information about future operations beginning in 2015 under a yet to be approved Habitat Conservation Plan (HCP). The final outcome is not known as the City of Santa Cruz is currently negotiations with the federal agencies on flow requirements.

Water Demand. The adopted 2010 UWMP estimates a water demand of between 4,046 and 4,537 MGY in the year 2030 within the entire water service area. This is based on two scenarios; the higher demand reflects water use trends experienced between 1999 and 2004, while the lower demand reflects more recent water use trends experienced in 2007-08. The 2010 UWMP indicates that the lower demand scenario is more reasonable given recent trends and state mandates for water conservation (SOURCE V.3d).

In 2009, the state of California enacted SB7, which sets a goal of reducing urban per capita water use by 20% by December 31, 2020. Under the law, each urban retail water supplier must include a base daily water use, a 2020 urban water use target and an interim (2015) water use target in its UWMP. The baseline water use value for California as a whole is 192 gallons per capita per day (gpcd); the value for the Central Coast Region, which encompasses the area from Santa Cruz to Santa Barbara, is 154 gpcd (SOURCE V.3d). Over the last 10-year period, per capita water use within the City of Santa Cruz water service area has declined from about 126 gpcd in 2001 to 93 gpcd in 2010 (SOURCE V.3d). The City's 10-year baseline (ending 2010), determined in accordance with the state's technical methodologies, is 113 gpcd. In accordance with state methodologies, the UWMP includes a 2020 target of 110 gpcd, and the City would be in compliance with state law if it maintains its per capita demand at or below this level.

Water Supply Reliability. The primary water reliability issue currently facing the City of Santa Cruz is the lack of adequate water supply during droughts due to the wide range in the yield of surface water sources from year to year and limited storage capacity. Updated modeling conducted for the 2010 UWMP found that the worst-year peak season shortage could range between 23 and 37% and between 42 and 51% with additional flow releases for fish habitat. Historically, one dry or critically dry year has not created a water shortage due to sufficient storage in Loch Lomond Reservoir. Based on past experience, however, a shortage is likely to occur when the central coast region experiences two or more dry or critically dry years in a row (SOURCE V.3d). The total water supply estimated to be available to the City in single dry years (i.e., 1994) is 3,900 MG (Ibid.). However, during an extreme two-year drought similar to the 1976-77 event, the estimated water supply available to the City in the second year of that event is 2,800 MG with a resulting deficit of approximately 1,200 MG (Ibid.). The peak season is between April and October since this is the period that would be most affected by a supply shortage due to peak water demand.

The City faces a series of ongoing challenges that potentially could lead to some loss of existing supply in the future, although it is uncertain at this time to what extent and which supplies might be affected. These considerations include: potential flow releases associated with the HCP as described above, the outcome of water rights petitions, groundwater availability and climate change issues. These considerations are described in section 4.5 of the City of Santa Cruz General Plan 2030 Draft EIR as updated by the Final EIR document.

The City of Santa Cruz has been actively considering possible new water supplies for nearly 20 years. In 2005, the City adopted an Integrated Water Plan (IWP), which identifies a water management strategy. The purpose of the IWP is to help the City reduce drought year water shortages and provide a reliable supply that meets long-term needs while ensuring protection of public health and safety. The adopted IWP water management strategy consists of the following three major components:

- Water conservation programs.
- Customer use curtailment (water use cutback) in times of shortage.
- Supplemental water supply for drought protection provided by a 2.5 million-gallon-per-day (mgd) desalination plant with potential for expansion up to 4.5 mgd in increments of one mgd.

The City is actively implementing water conservation programs. Additionally, the City and Soquel Creek Water District are pursuing regulatory approvals for a permanent, 2.5 mgd (with potential for expansion to 4.5 mgd) desalination plant. The facility would provide a backup water supply to the City in times of drought and would provide water to the District at other times to reduce its reliance on well water and avert the threat of seawater intrusion in local groundwater aquifers.

A one year of testing at a pilot desalination plant has been completed, and environmental review is underway for a permanent facility, which is expected to be constructed and in operation by the year 2016, pending completion of project-level

environmental review and regulatory permit approvals, e.g., approval of a coastal development permit from the California Coastal Commission.⁵ The design and environmental review phases are currently underway. There is some uncertainty related to the approval and timing of the permanent desalination plant construction and operation. The likelihood of construction of a permanent plant is currently uncertain as design plans have not been completed, and it cannot be predicted at this time whether the Coastal Commission and other agencies would issue the necessary approvals.

Impact Analysis. The proposed project is estimated to result in a net increase in water demand of approximately 0.53 MGY based on water use rates developed by the City Water Department for the residential uses, landscaping and swimming pools as summarized on Table 1. This estimate deducts estimated existing water demand at the site based on City of Santa Cruz rates. Additionally, the proposed project includes a restaurant-dining facility for residents only. Thus, project water use may be a slightly higher, i.e. 0.6 MGY. Discussions with staff of the City Water Department indicate that the estimate project water demand is consistent with water use at a nearby 25-unit senior housing project.

Table 1: Estimated Project Water Demand

Type of Use	Size	Water Demand Rate	Water Use (Million Gallons Per Year)
Multi-Family Residential Units	23 units	70 gpd / room	0.60
Landscaping	2,000 sq. ft.	0.02 x sq. ft. = billing units (100 cf) x 100 x 7.48 gallons	0.03
Swimming Pool	480 sq. ft.	Area x 4 x 7.48 gallons	0.02
Total Project Water Use:			0.65
Existing Consumption Salvage Materials Yard	10,000 sq. ft.	12 gallons/sf/yr	0.12
Net Water Use			0.53

⁵ Other potential permits, approvals and/or consultations for a permanent desalination plant and supporting infrastructure (i.e., intake facility and distribution pipeline) may be required from various agencies, including, but not limited to U.S. Fish and Wildlife Service, State Lands Commission, and California Department of Health Services.

The estimated project water demand is within the 20-year estimated water demand for areas outside Santa Cruz city limits. The 2010 UWMP predicts that water supplies will be adequate in normal years to serve estimated growth within the City of Santa Cruz water service area. Therefore, increased water demand under normal conditions is a less-than-significant project impact.

During periods of drought, water customers would be subject to water curtailment as enacted by the City. The minimal increased water demand associated with the proposed project would not cause any noticeable effects on the level of curtailment that would be required of all water customers in a single dry year scenario. The proposed project's increased demand is considered minimal and would not have significant effects on the levels of curtailment that would be required throughout the service area. As indicated above, the City of Santa Cruz in partnership with the Soquel Creek Water District is pursuing development of a desalination facility that would serve the City during periods of drought.

(c) Storm Drainage Facilities. See discussion above under subsection 9 (c-e) regarding drainage.

(f) Solid Waste Disposal. Since 2007, the City of Capitola has a franchise agreement with Green Waste Recovery (GWR) for the collection of refuse, recycling, and yard waste. Solid waste collected in Capitola is transferred to the Monterey Peninsula Class III Landfill located in the City of Marina, which is operated by the Monterey Regional Waste Management District. It is a regional disposal facility that serves an 853 square mile area with a population of approximately 170,000. This landfill covers 475 acres and is comprised of both unlined and lined disposal areas. Waste types accepted and permitted at this facility include: agricultural, construction/demolition, sludge (biosolids), and mixed municipal. The landfill has a remaining waste capacity of approximately 40 million tons (74 million cubic yards) and has an anticipated life capacity of 100 years (SOURCE V2.d). Thus, there is adequate existing capacity to serve the proposed project.

18. Mandatory Findings of Significance.

(a) Quality of the Environment. The proposed project would have no effect on biological or cultural resources and would not result in elimination of important examples of major period of California history or prehistory. The project would not degrade the quality of the environmental or otherwise affect fish and wildlife habitat. No significant impacts were identified related to cultural historical resources.

(b) Cumulative Impacts. There are no cumulative projects pending in the city of Capitola, except for the opening of a Target store at the Capitola Mall to replace a former department store that closed within the last few years. The proposed project would contribute to cumulative water supply and global climate change impacts as

discussed below. There are no other known significant cumulative impacts to which the project would contribute.

Water Supply. The proposed project will contribute to cumulative water demand under normal and under drought conditions in which there are existing water shortages. Cumulative development and growth within the City's water service area could result in a cumulative increase in water demand of approximately 520 MGY by the year 2030 (SOURCE V.3b), which includes projected population growth outside city limits but within the City's water service area. This cumulative water demand estimate is based on population projections for areas outside city of Santa Cruz city limits, but does not include any additional growth that may be anticipated in the City of Capitola General Plan, which is being updated.

The City of Santa Cruz adopted 2010 UWMP indicates that there would be adequate supplies during a normal year to serve cumulative development within the service area based on expected water demand trends and usage. However, as indicated above in subsection 17(b-d), existing supplies may be reduced in the future with implementation of a Habitat Conservation Plan and resolution of petitions before the State Water Resources Control Board, although whether or not this may occur is uncertain at this time, and if so, to what extent and which supplies might be affected also are not known. If water demand in the City's water service area is higher than what was experienced in the last five years (instead of more recent lower water demand levels), cumulative development could result in a significant cumulative impact on water supply during normal years (SOURCE V3.c).

Additionally, cumulative water demand would also increase during drought periods in which City supplies cannot meet water demand under existing conditions. The 2010 UWMP estimates an annual shortfall of approximately 1,200 MGY in 2030 during a multiple-year drought. Thus, cumulative development and growth would result in a significant cumulative water impact as it results in additional demand in a system that does not currently have adequate water supplies during a drought condition.

As previously indicated in section 17 above, the City has been actively considering possible new water supplies for nearly 20 years, and its adopted *Integrated Water Plan* (IWP) identifies potential approaches to drought-year water supply options. The adopted IWP water management strategy includes three components: water conservation, water use curtailment during droughts, and a supplemental desalination water supply. The City is actively implementing water conservation programs. The City currently imposes a "System Development Charge" on all new connections based on meter size that is used to fund conservation programs and partially offset the desalination plant's costs.

The certified IWP EIR evaluates impacts of the construction of a desalination facility and associated pipelines on a programmatic level, which are summarized in the City of Santa Cruz General Plan 2030 EIR. Construction could have physical environmental effects, and the IWP EIR identified potentially significant impacts that could be mitigated to a less-than-significant level, except for temporary construction noise. The EIR also includes further review of population projections and City/County

land use planning documents prior to any expansion of a plant in ensure that development of an additional water supply is consistent with planned growth projections (SOURCE V.3c).

The City has completed a one-year operation of the pilot desalination plant, and design and environmental review for a permanent facility are currently underway. A permanent desalination plant is expected to be constructed and in operation by the year 2016, pending completion of project-level environmental review and acquisition of necessary regulatory approvals (e.g., from the California Coastal Commission). The desalination facility would provide a supplemental water supply during periods of drought and could be expanded at a future time to provide additional supply after additional environmental review and permitting. The City acknowledges some uncertainty related to the approval of and timing for construction of the permanent desalination facility as the project is subject to completion of environmental review and permit approvals, including a coastal permit from the California Coastal Commission.

The City's adopted IWP and 2010 UWMP identified seawater desalination as the only feasible alternative for a backup supply of drinking water during a drought. Recycled wastewater was determined to be potentially feasible for landscape irrigation, but is not the City's preferred water supply strategy, although the City's General Plan 2030 policy remains open to pursuing this option (SOURCE V.3d).

Cumulative Impact Analysis. Cumulative development and growth would result in a significant cumulative water impact as it results in additional future demand in a system that does not have adequate existing or long-term water supplies during drought conditions and may not have adequate future supplies in normal years. The project's incremental contribution to this situation would be less than one hundredth of one percent of the total cumulative demand.

The project will be required to include water conserving fixtures and landscaping in accordance with building code and City requirements. In addition, the project will pay the required "System Development Charge," which is used in part to implement conservation and desalination plant costs planned under the IWP. Under drought conditions, the project, like other City customers, would be required to curtail water use by varying amounts, depending on the severity of the drought. The minor increase in project water demand would not substantially exacerbate water supply reliability during a drought or in the future due to cumulative growth because, as explained above (in section 17[b,d]), and would not be expected to result in any noticeable increase in the curtailment in customer use that would be implemented during drought conditions. Thus, the incremental effects of the proposed project would not be cumulatively considerable.

Additionally, the City's adopted Integrated Water Plan includes a supplemental future supply of 2.5 MG/year from the proposed, but not yet approved or constructed desalination plant. The facility would provide a

supplemental water supply during periods of drought and could be expanded in the future to provide additional water to accommodate growth planned within the City's water service area. As indicated above (in section 17[b,d]), the City is in the process of completing design plans and preparing an EIR for the project. The City also regularly monitors water demand and water supply options via preparation of annual water demand reports to the City Council and five-year updates of the UWMP, which includes a 20-year planning horizon for water supply management.

Global Climate Change. See discussion above under subsection 7 above regarding global climate change.

(c) Substantial Adverse Effects on Human Beings. No environmental effects have been identified that would have direct or indirect adverse effects on human beings, except for potential exposure to noise, which can be mitigated to a less-than-significant level.

EXCERPT PLANNING COMMISSION MINUTES OF SEPTEMBER 6, 2013**6. PUBLIC HEARINGS****C. 1575 38TH AVENUE****#12-028****APN: 034-181-17**

Planned Development Rezoning, Conditional Use Permit, and Design Permit to demolish a commercial salvage yard (Capitola Freight and Salvage) and construct a three-story, 23-unit residential senior housing project in the CN (Neighborhood Commercial) Zoning District.
 Environmental Determination: Mitigated Negative Declaration
 Property Owner: Maureen A. Romac, filed 3/2/12
 Representative: Steve Thomas

Commissioner Newman recused himself as he has an interest in property within 300 feet of the subject property application.

Senior Planner Bane presented the staff report.

Chairperson Graves acknowledged receipt of a letter from County Supervisor John Leopold's office.

Commissioner Smith clarified the concrete wall shown on the current plans, is 6'-8" high. She asked staff to highlight the changes in the current proposal from the preliminary review plans. She noted that the City Council had reviewed and commented on a three story, 57 unit proposal, and this is a three story 23 unit project.

Senior Planner Bane responded that the current plans are almost identical to the preliminary review plans.

Commissioner Ortiz questioned the General Plan comments in the second to last paragraph on page 70 of the agenda packet. She asked if this is language from the current General Plan and will it carry forward into the next General Plan.

Consultant Susan Westman responded that the current Housing Element identified this property as a possible low income housing site. The next Housing Element will require new sites to be identified for low income units.

The public hearing was opened.

Maureen Romac, property owner/applicant, spoke in support in application. She stated that they have worked with the neighbors to design this project and will continue to listen to neighborhood and city concerns.

Commissioner Ortiz asked if there is an age requirement, if the residents buy a meal plan; is there more than one shuttle bus; how many employees are there; what is the range of units offered to residents in this project?

Maureen Romac responded that the minimum age is 55 years of age; residents will be purchasing a meal plan as part of the tenancy agreement; there will be one shuttle bus; there will be four employees; there are studio units, one-bedroom units and two-bedroom units.

Rick De La Cruz, spoke in support of the application.

Item #: 5.C. Attachment_D.pdf

CAPITOLA CITY PLANNING COMMISSION MINUTES – SEPTEMBER 6, 2012

Mark Davidson, spoke with concerns regarding the project. He requested clarification about the number of units specified in the staff report on page 4, General Plan, and the zoning change process. He requested a copy of the shading plan/shadow study.

Chairperson Graves explained the planned development process. He stated the staff would provide the shading plan/shadow study.

Don Mosegaard, representing three neighbors along the rear property boundary, spoke with concerns regarding the project. He submitted a handout of comments.

Kim Fry, spoke with concerns about the project height, setbacks, drainage issues, and loss of privacy and solar access. She requested construction hours be limited to 8:00 a.m.-6:00 p.m.

Tatiana Teeuwissc, spoke with concerns about the project height, loss of privacy and solar access, and noise during construction and the future use of the property.

Teressa Stolroff, spoke with concerns about the project and concurred with the prior speakers. She stated that the new plan reduced the number of units, but not the mass of the building. The elevation along the Bulb Avenue properties is a very straight wall with no articulation.

Steve Thomas, property owner, acknowledged the public comments.

Richard Haack, architect's representative, clarified the rear yard setback could be 10 feet, but the planned development permit allows for reduced setbacks.

The public hearing was closed.

Commissioner Routh stated the following: Below are the reasons I enumerated as to why the Planning Commission should not support this application and the commissioners agreed.

I stated the use is appropriate for the site but does not warrant all the exceptions being made to the zoning ordinance.

To quote the purpose of the CN Zone, "The purpose of the CN district is to accommodate, at convenient locations, those limited commercial uses which are necessary to meet frequently occurring basic shopping and service needs of people residing in adjacent areas and to implement the harmonious intermingling of pedestrian, commercial, and residential activities."

Here's the important part: "The style and scale of development should be consistent with the foregoing and the intensity of uses should have a low impact on the neighborhood".

The two important words here are "scale" and "consistent". This project is certainly not complimentary nor consistent to the scale of adjacent commercial and residential uses.

Planned Development standards and requirements state that "standards for area, coverage, density, yard requirements, parking and screening for PD district uses shall be governed by the standards of the residential, commercial, or industrial zoning district most similar in nature to the proposed PD district use." For this application, that would be the CN district standards and requirements.

The development standards and requirements for the CN district require a 27' height limit, (the proposed structure is 42' high), side yard setbacks of 10% for the first floor (the proposed development has 0' and 6'10" setbacks), and 15% for the second floor (the proposed structure has 0' and 6'10" setbacks), 15' front setback (the proposal is for 0' setback) and a minimum of 10' rear yard for

commercial uses and greater for residential uses (the proposed development has 15' rear yard setback).

The zoning ordinance does allow exceptions, but in order to grant these kind of exceptions there must be overwhelming benefits provided to the community through design, use, or special amenities. The benefits are not so overwhelming that we should set aside all of the CN district requirements and standards. Keep in mind also, this application is not even for a principal permitted use, but a conditional use.

In addition, the landscaping requirement in the CN zone requires 5% of the lot to be landscaped. This proposal has a few potted plants in the front, and minimal landscaping on the rear and north sides. On the south side the applicant is claiming the landscaping on the adjacent storage facility as if it were part of this project while it may adequately screen the south side, the applicant has no control over the adjacent property and redwood trees.

Nothing in this proposal conforms to any of the development standards required in the CN zone. In fact, it does not conform to any standards in any zone.

PD district standards and requirements also state no PD district shall include less than 4 acres (this proposal is .72 acres, 31,385 sq. ft.) unless certain findings are made; that the land is suitable as a PD district by virtue of its unique historical character (nothing historical about a used building supply lot), topography (nothing unique about a flat lot), land use (nothing special or unique about a large multi-family residential structure), or landscaping (no unique landscaping currently exists and none included in the proposal). It is impossible to make any of these findings.

In this case, the PD application simply is an end run around the requirements set forth in our zoning ordinance. It is a blatant attempt to squeeze more units, with inadequate setbacks and landscaping, at a height not in scale with the adjacent neighborhoods.

The density of this project is 1 unit for every 1365 sq. ft. The last time this community allowed a project of similar density was when the condominiums along Park Ave were approved way back in 1970. and the next election after those were approved a new council eliminated the zoning designation (RM-H) that supported that density and it has remained that way ever since, through several general plan updates and zoning ordinance revisions. The community has repeatedly spoken loudly, over several years and general plan and zoning updates, that this high zoning density is not supported in our community.

Approving this application, which meets no current development standards in the city, jeopardizes the very integrity of our zoning ordinance.

At the conclusion of the above comments, fellow Planning Commissioners concurred unanimously. A motion was made and seconded to deny the application based on the above reasons and passed unanimously. It is probable this application will be appealed to the City Council and the Planning Commission stated very specifically that they wanted the council to be made aware of the above comments.

Commissioner Ortiz concurred with Commissioner Routh's comments. She stated Commissioner Routh's comments should be forwarded to the City Council verbatim. She stated her concerns about applicant's anticipated number of employees with all of the services proposed: laundry, cooks, servers and the shuttle bus. She did not support the second floor decks as they eliminate privacy to adjacent properties. She recommended staff incorporate the green building requirements into the conditions of approval and that the construction hours be modified to address adjacent businesses and residents.

Commissioner Smith concurred with Commissioner Routh's comments. She stated that senior housing is an important housing type to incorporate into our community. But the project, as proposed, shows minimal changes from the preliminary review.

Chairperson Graves stated that although the current proposal is scaled back from the prior design in the number of units, there are several concerns about the mass of the building the lack of landscaping throughout the project site. There is very minimal privacy afforded to the adjacent neighbors. He supported the concept of senior housing on this site, and the planned development process is the correct mechanism to achieve this project, but there are too many units. He stated that large scale developments have not been successful in Capitola noting the Capitola Beach Villas project. He had concerns about the drainage the fence or wall on the west property boundary and the impact of balconies facing west into the adjacent residential properties.

Consultant Susan Westman explained through the General Plan process, the 41st Avenue Area study provided the applicants with design that included increases to the project density, wider sidewalks and higher buildings along 38th Avenue.

A MOTION WAS MADE BY COMMISSIONER ROUTH AND SECONDED BY COMMISSIONER ORTIZ TO RECOMMEND TO THE CITY COUNCIL DENIAL OF A NEGATIVE DECLARATION AND THE PROJECT APPLICATION #12-028.

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



MEMORANDUM

To: Mr. Steve Jesberg – City of Capitola JN 70-100436
From: Frederik Venter, PE – RBF Consulting
Date: June 8, 2012
Subject: Forecast Trip Generation, On-Site Parking Analysis and Pedestrian Warrant Analysis for the Proposed Villa Capitola Senior Housing Project

This memorandum summarizes analysis of the following traffic and parking elements related to the proposed Villa Capitola Senior Housing Project:

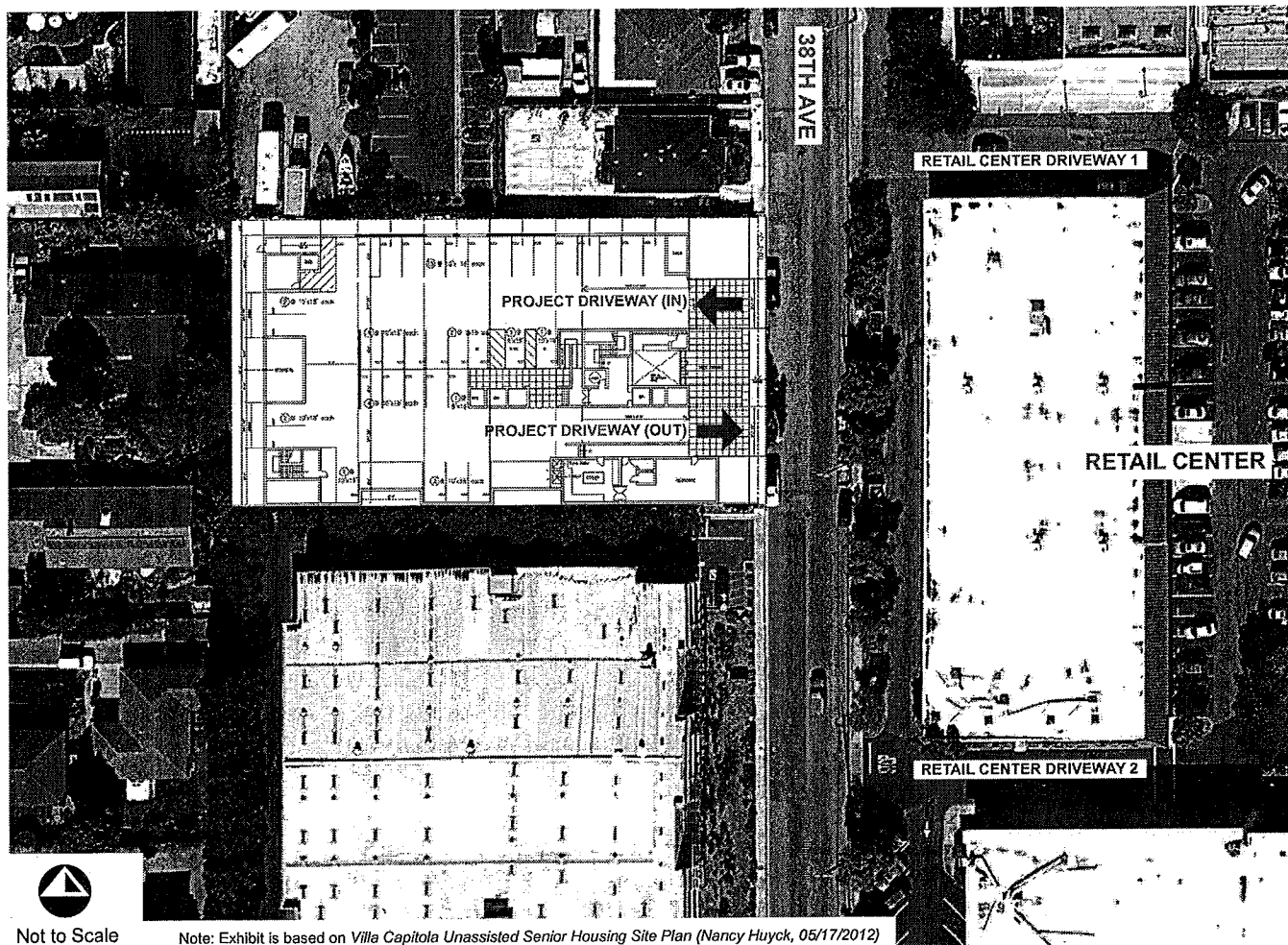
- Forecast net trip generation of the proposed project;
- Evaluation of on-site parking for the proposed project;
- Evaluation for the potential installation of an unsignalized mid-block pedestrian crossing between the project site and the retail center located across 38th Avenue; and
- Evaluation for the potential installation of a mid-block pedestrian crossing between the project site and the retail center located across 38th Avenue.

PROPOSED PROJECT

The proposed Villa Capitola Senior Housing project located at 1575 38th Avenue in the City of Capitola consists of construction of a three-story 23-unit attached senior housing. The proposed project is planned to displace the existing 0.72-acre commercial salvage yard and storage land use on the project site.

Site access for the proposed project is planned via one inbound driveway and one outbound driveway located along 38th Avenue. Due to the site location, the proposed driveways are planned to be offset from the two existing driveways serving the existing retail center located across the project site on 38th Avenue. Exhibit 1 shows the location of the project site and the planned driveways in relation to the existing retail center located across the project site on 38th Avenue.

Table 1 summarizes the dwelling unit types for the 23 proposed dwelling units.



Proposed Project Driveways In Relation to Driveways Across 38th Avenue

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Exhibit 1

Table 1
Proposed Project Unit Types

Unit Type	Count
Studio	11
One Bedroom	10
One Bedroom with Study	1
Two Bedroom	1
Total	23

FORECAST PROJECT TRIP GENERATION

To calculate trips forecast to be generated by the proposed project and the existing commercial salvage yard and storage, *Institute of Transportation Engineers (ITE)* trip generation rates were utilized. It should be noted that *ITE* does not have a specific land use category that defines the existing land use. As such, a comparable land use category was selected. The category selected is warehousing. Warehouses store materials and also have limited sales, per the *ITE* land use definition. A retail land use was not selected since the trip rate would have been unreasonably high and present unrealistic trip generation results. Table 2 summarizes the *ITE* trip generation rates used to calculate the number of trips forecast to be generated by the proposed project as well as the existing commercial salvage yard.

Table 2
ITE Trip Generation Rates Per Unit of Land Use for Proposed Project & Existing Land Uses

Land Use (ITE Code)	Units	AM Peak Hour Trip Generation Rate			PM Peak Hour Trip Generation Rate			Daily Trip Generation Rate
		In	Out	Total	In	Out	Total	
Proposed Project								
Senior Adult Housing - Attached (252) - Trips per dwelling unit	dwelling unit	0.05	0.08	0.13	0.10	0.06	0.16	3.48
Existing Land Use to be Displaced								
Warehousing (150) - Trips per acre	acres	7.22	2.81	10.03	3.04	5.65	8.69	57.23

Source: 2008 ITE Trip Generation Manual, 8th Edition.

Utilizing the trip rates shown in Table 2, Table 3 summarizes the net trips forecast to be generated by the proposed project accounting for the displaced land use on the project site.

**Table 3
Forecast Net Trip Generation of Proposed Project**

Land Use	AM Peak Hour Trips			PM Peak Hour Trips			Daily Trips
	In	Out	Total	In	Out	Total	
Proposed Project Trip Generation							
23 Attached Senior Adult Housing Dwelling Units	1	2	3	2	2	4	80
Existing Land Use to be Displaced							
0.72 Acres of Warehousing/Storage	5	2	7	2	4	6	41
Total Forecast Net Trip Generation of Project (Proposed minus existing)	-4	0	-4	0	-2	-2	39

As shown in Table 3, when compared to the existing commercial salvage yard and storage, the proposed project is forecast to generate fewer trips during the a.m. and p.m. peak hours, but approximately 39 more trips during the day (the daily trips present a combination of non-peak hour and peak hour trips).

PARKING ANALYSIS

This section provides a summary of analysis for the following items related to the on-site parking for the proposed project:

- Number of on-site parking spaces required for the proposed project per the City of Capitola Municipal Code;
- Number of on-site parking spaces required for the proposed project utilizing guidelines for senior housing land use per other jurisdictions and standards;
- Parking space dimension requirements for the proposed project per the City of Capitola Municipal Code;
- Number of accessible parking spaces required for the proposed project per the *2010 ADA Standards for Accessible Design (Department of Justice, September 15, 2010)*;
- Accessible parking space width requirements for the proposed project per the *2010 ADA Standards for Accessible Design (Department of Justice, September 15, 2010)*; and
- Evaluation of vehicle maneuvers within the parking structure of the proposed project.

Number of On-Site Parking Spaces Required Per City of Capitola Municipal Code

The City of Capitola Municipal Code does not specifically include number of on-site parking space requirements for the senior housing land use category. Therefore, this analysis is based on the land use category which best fits the proposed project description and is covered in the City of Capitola Municipal Code which is the land use described as dwellings, apartments, and condominiums.

Hence, using the on-site parking requirements for Land Use C (dwellings, apartments, and condominiums) in Section 17.51.130 of the City of Capitola Municipal Code contained in Attachment A, the proposed project would be required to meet the following parking requirements:

- *Dwellings, apartments, and condominiums (townhouse) of more than four units, one covered space for each unit, plus one and one-half additional spaces on the site for each dwelling units. Each regular space must be a minimum of nine feet by eighteen feet. Forty percent of the spaces may be compact spaces of eight feet by sixteen feet.*

Table 4 summarizes the number of on-site parking spaces required according to City of Capitola Municipal Code utilizing guidelines established for dwellings, apartments, and condominiums land uses in comparison to the number of on-site parking spaces planned to be provided for the proposed project.

Table 4
On-Site Parking Spaces Required Per City of Capitola Municipal Code
(Utilizing Dwellings, Apartments, & Condominiums Land Use Category)
and On-Site Parking Spaces Planned for Proposed Project

Project Size and Land Use	City Parking Requirements ¹	On-Site Parking Spaces Required	On-Site Parking Spaces Planned	Adequate Parking Spaces Planned
23 du of attached senior adult housing	1 covered space per unit plus 1.5 space per unit ²	58	36 ³	No

Notes: du = Dwelling Unit

1 = Based on City of Capitola Municipal Code

2 = One of the spaces for each unit must be covered

3 = Parking supply is based on *Villa Capitola Unassisted Senior Housing Site Plan (Nancy Huyck, 05/17/2012)*

As shown in Table 4, based on the City of Capitola Municipal Code and utilizing the guidelines established for dwellings, apartments, and condominiums land uses, the proposed project is required to provide a total 58 parking spaces.

Based on the proposed project site plan dated May 17, 2012, the proposed project is planned to provide a total of 36 parking spaces. Hence, the proposed project is 22 parking spaces short of the parking requirements for the City of Capitola when utilizing guidelines established for dwellings, apartments and condominiums land use.

Number of On-Site Parking Spaces Required for Proposed Project Utilizing Guidelines for Senior Housing Land Use Per Other Jurisdictions and Guidelines

This section provides an evaluation and analysis of the number of on-site parking spaces required for the proposed project utilizing guidelines specifically designed for senior housing land use as set forth by other jurisdictions in the vicinity of the project site as well as information contained in other published guidelines used as industry standard.

The following standards and published guidelines were used in providing a comparative evaluation for the number of on-site parking spaces required for the proposed project:

- Number of on-site parking spaces required for senior housing land use per Section 17.25.030 of the City of Live Oak, California Municipal Code contained in Attachment B;
- Number of on-site parking spaces required for senior housing land use per Section 24.12.240 of the City of Santa Cruz, California Municipal Code contained in Attachment C;
- Number of on-site parking spaces required for senior housing land use per Section 17.34.040 of the City of Seaside, California Municipal Code contained in Attachment D; and
- Number of on-site parking spaces required for attached senior housing land use based on actual site surveys conducted and published in *Parking Generation, 3rd Edition* (Institute of Transportation Engineers, 2004) contained in Attachment E.

Table 5 summarizes the number of on-site parking spaces required for the proposed project utilizing guidelines specifically designed for senior housing land use as set forth by other jurisdictions in the vicinity of the project site as well as information contained in other published guidelines used as industry standard.

Table 5
On-Site Parking Spaces Required For Senior Housing Utilizing Guidelines Set
Forth by Other Jurisdictions or Published in Other Industry Standard Documents

Guideline Source	Senior Housing Parking Requirement Per Guideline	Project Size	On-Site Parking Spaces Required	On-Site Parking Spaces Planned	Adequate Parking Spaces Planned
City of Live Oak Municipal Code	0.6 Parking Spaces Per Unit	23 du	14	36 ²	Yes
City of Santa Cruz Municipal Code	1 Parking Space for each 3 Dwelling Units		8		Yes
City of Seaside Municipal Code	1 Parking Space for Each Unit With Half the Spaces Covered Plus 1 Guest Parking Space for Each 10 Units		26		Yes
ITE Parking Generation, 3 rd Edition	1.4 Parking Spaces per dwelling unit ¹		33		Yes

Notes: du = Dwelling Unit

1 = Observed peak parking demand of 50%.

2 = Parking supply is based on *Villa Capitola Unassisted Senior Housing Site Plan* (Nancy Huyck, 05/17/2012)

As shown in Table 5, utilizing guidelines specifically designed for senior housing land use as set forth by other jurisdictions in the vicinity of the project site as well as information contained in other published guidelines used as industry standard, the proposed project is required to provide a total of between 8 and 33 parking spaces.

Based on the proposed project site plan dated May 17, 2012, the proposed project is planned to provide a total of 36 parking spaces. Hence, based on guidelines for senior housing land use as set forth by City of Live Oak, City of Santa Cruz, City of Seaside and ITE, the proposed project is planned to provide adequate number of parking spaces.

Parking Space Dimension Requirements Per City of Capitola Municipal Code

As identified earlier, based on the City of Capitola Municipal Code, the minimum parking space width for the proposed project is 9 feet wide and 18 feet long. Additionally, based on the City of Capitola Municipal Code, forty percent of the parking spaces can be compact spaces of eight feet wide by sixteen feet long.

Based on the project site plan dated May 17, 2012, all of the 36 parking spaces planned to be provided by the proposed project are 18 feet long and range between 9 and 10 feet in width.

Therefore, based on the project site plan dated May 17, 2012, all of the planned parking spaces would meet the parking space dimension requirements per the City of Capitola Municipal Code and none of the parking spaces are planned to be compact size.

Number of On-Site Accessible Parking Spaces Required Per Americans with Disabilities Act

Table 6 summarizes the number of on-site parking spaces required for the proposed project per the *2010 ADA Standards for Accessible Design* (Department of Justice, September 15, 2010) in comparison to the number of on-site ADA parking spaces planned to be provided for the proposed project.

Table 6
On-Site Accessible Parking Spaces Required
and On-Site Accessible Parking Spaces Planned for Proposed Project

Total Number of Parking Spaces Provided	Minimum Number of Required Accessible Parking Spaces ¹	Number of On-Site Accessible Spaces Planned	Adequate Accessible Parking Spaces Planned
36 ²	2	3	Yes

Notes:

1 = Source: Table 208.2 of the *2010 ADA Standards for Accessible Design* (Department of Justice, September 15, 2010)

2 = Parking supply is based on *Villa Capitola Unassisted Senior Housing Site Plan* (Nancy Huyck, 05/17/2012).

As shown in Table 6, based on the *2010 ADA Standards for Accessible Design* (Department of Justice, September 15, 2010), the proposed project is required to provide a total 2 accessible parking spaces. Based on the project site plan dated May 17, 2012 and contained in Attachment F, the proposed project is planned to provide a total of 3 accessible parking spaces which include one a van accessible parking space. Hence, the proposed project is planned to provide adequate accessible parking spaces per the *2010 ADA Standards for Accessible Design* (Department of Justice, September 15, 2010).

Accessible Parking Space Width Requirements Per Americans with Disabilities Act

Table 7 summarizes the width requirements for the accessible parking spaces planned to be provided by the proposed project per the *2010 ADA Standards for Accessible Design* (Department of Justice, September 15, 2010) in comparison to the accessible parking space widths planned to be provided for the proposed project.

Table 7
On-Site Accessible Parking Spaces Width Requirements
and On-Site Accessible Parking Space Widths Planned for Proposed Project

Type of Accessible Parking Space	Minimum Width for Accessible Parking Space ¹	Minimum Width for Adjacent Access Aisle ²	Width of Accessible Parking Space Provided by Proposed Project ³	Width of Adjacent Access Aisle Provided by Proposed Project ³	ADA Width Requirements Met?
Van	8 feet	8 feet	9 feet	8 feet ⁴	Yes
Passenger Car	8 feet	5 feet	9 feet	8 feet ⁵	Yes
Passenger Car	8 feet	5 feet	10 feet	5 feet	Yes

Notes:

1 = Source: Section 502.2 of the *2010 ADA Standards for Accessible Design* (Department of Justice, September 15, 2010).

2 = Source: Section 502.3 of the *2010 ADA Standards for Accessible Design* (Department of Justice, September 15, 2010).

3 = Based on *Villa Capitola Unassisted Senior Housing Site Plan* (Nancy Huyck, 05/17/2012).

4 = Access aisle shared with the adjacent passenger car accessible parking space (see Exhibit 2).

5 = Access aisle shared with the adjacent van accessible parking space (see Exhibit 2).

As shown in Table 7, based on the project site plan dated May 17, 2012 and contained in Attachment F, the planned accessible parking spaces for the proposed project are planned to meet the width requirements identified in the *2010 ADA Standards for Accessible Design* (Department of Justice, September 15, 2010).

Evaluation of Vehicle Maneuvers Within The Parking Structure

An evaluation of passenger car parking and turning maneuvers has been performed to determine potential maneuverability issues for passenger cars when utilizing the proposed parking structure.

Based on the performed evaluation, passenger vehicles are anticipated to have the ability to turn the corners within the proposed parking structure. However, access to a few of the planned parking spaces located by the walls might require wide turning radiuses and the drivers would need to plan ahead when entering these parking spaces so that they can approach the parking stall with a wider turning radius. Additionally, access to one of the planned parking spaces might require the driver to backup into the parking space.

Exhibit 2 shows the site plan for the proposed project and the graphic evaluation of the turning movements within the proposed parking structure.

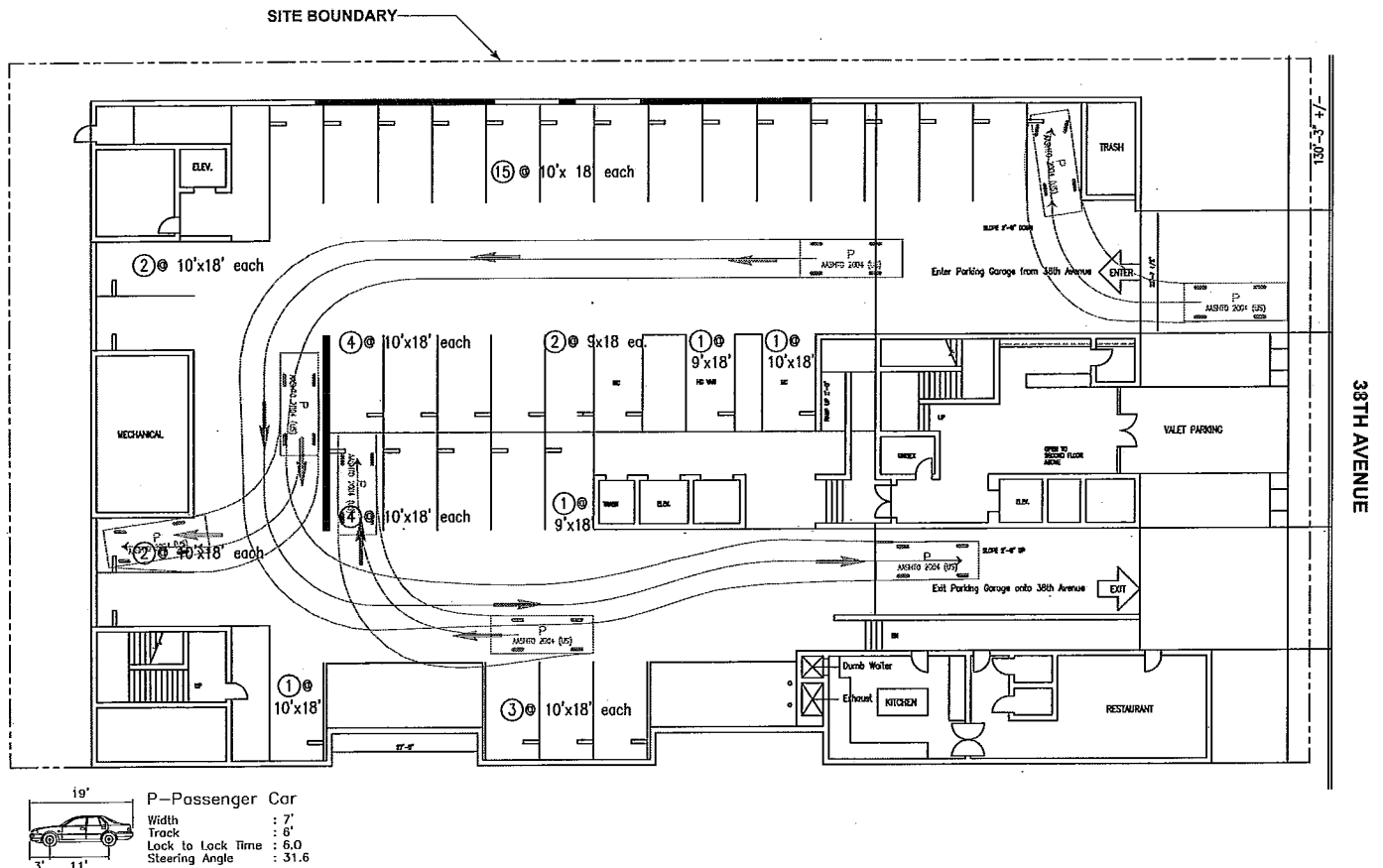
EVALAUATION FOR THE POTENTIAL INSTALLATION OF AN UNSIGNALIZED MID-BLOCK PEDESTRIAN CROSSING

The *California Manual on Uniform Traffic Control Devices for Streets and Highways* (MUTCD) (Federal Highway Administration, 2009 Edition as amended for use in California) does not specify any guidelines for determination of the need to install an unsignalized pedestrian crossing at a mid-block location. However, Section 3B.18 of the MUTCD states:

"Mid-block pedestrian crossings are generally unexpected by the motorist and should be discouraged unless, in the opinion of the engineer, there is a strong justification in favor of such installation. Particular attention should be given to roadways with two or more traffic lanes in one direction as a pedestrian may be hidden from view by a vehicle yielding the right-of-way to a pedestrian."

Installation of a mid-block pedestrian crossing in front of the project site crossing 38th Avenue would be at the discretion of the City. However, it is recommended that the following issues be considered when planning and constructing an unsignalized mid-block pedestrian crossing:

- Provide adequate lighting to enhance the visibility of pedestrians to vehicular traffic;
- Provide a raised pedestrian crossing to enhance pedestrian visibility to vehicular traffic;
- Evaluate sight distance in the vicinity of the pedestrian crossing location and restrict parking adjacent to the pedestrian crossing location to provide better pedestrian visibility;
- Provide clear marking and advance warning signs per the MUTCD guidelines for vehicles approaching the pedestrian crossing location;



Note: Exhibit is based on Villa Capitola Unassisted Senior Housing Site Plan (Nancy Huyck, 05/17/2012)



Site Plan for Proposed Project & Passenger Vehicle Turning Manuevers

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Exhibit 2

- Narrow the street cross section at the pedestrian crossing location by means such as installation of a bulb out;
- Provide cross-walk markings per the *MUTCD* guidelines; and
- Provide In-Roadway Warning Lights at the crosswalk as permitted and instructed in section 4N.02 and other related sections of the *MUTCD*.

Exhibit 5 shows a conceptual layout of the pedestrian crossing on 38th Avenue.

EVALAUATION FOR POTENTIAL INSTALLATION OF SIGNALIZED MID-BLOCK PEDESTRIAN CROSSING

To evaluate the need for installation of a signalized pedestrian crossing on 38th Avenue between the project site and the existing retail center across the project site, a peak hour pedestrian volume traffic signal warrant analysis (Warrant 4) has been prepared in accordance with the *California Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD)* (Federal Highway Administration, 2009 Edition as amended for use in California).

Pedestrian Volume Warrant (MUTCD Warrant 4)

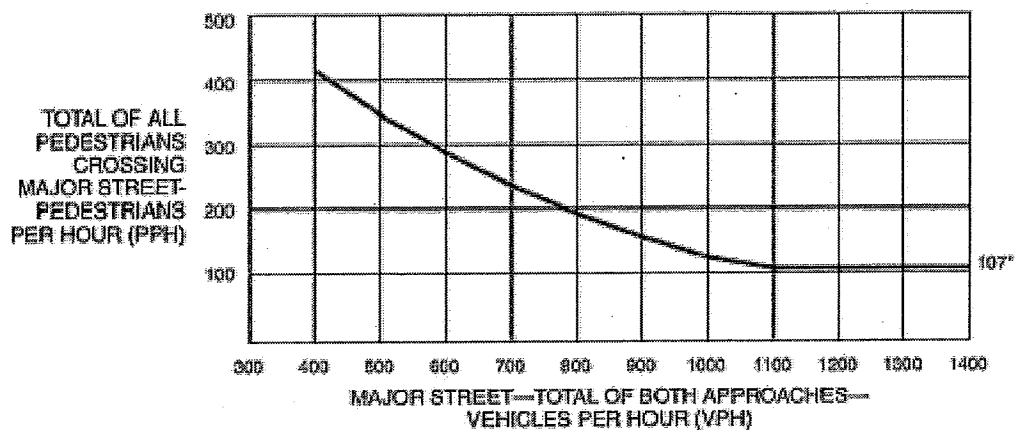
In accordance with the *MUTCD* guidelines, the need for a traffic control signal at an intersection or mid-block shall be considered if an engineering study finds that one of the following criteria is met:

- A. For each of any 4 hours of an average day, the plotted points representing the vehicles per hour on the major street (total of both approaches) and the corresponding pedestrians per hour crossing the major street (total of all crossings) all fall above the curve in Figure 4C-5 of the *MUTCD*; or
- B. For 1 hour (any four consecutive 15-minute periods) of an average day, the plotted point representing the vehicles per hour on the major street (total of both approaches) and the corresponding pedestrians per hour crossing the major street (total of all crossings) falls above the curve in Figure 4C-7 of the *MUTCD*.

If the posted statutory speed limit or the 85th-percentile speed on the major street exceeds 35 mph, or if the intersection lies within the built-up area of an isolated community having a population of less than 10,000, *MUTCD* Figure 4C-6 may be used in place of *MUTCD* Figure 4C-5 to evaluate Criterion A, and *MUTCD* Figure 4C-8 may be used in place of *MUTCD* Figure 4C-7 to evaluate Criterion B.

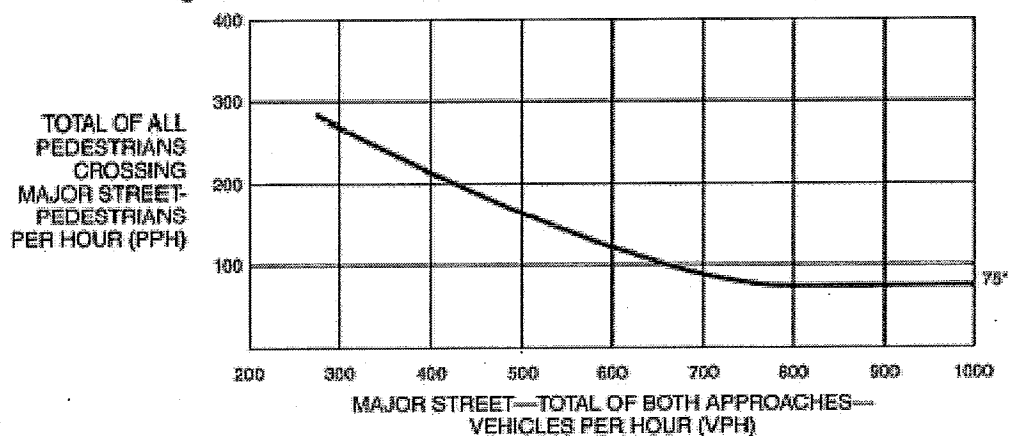
The Criterion for pedestrian volume crossing the major street may be reduced as much as 50 percent if the 15th-percentile crossing speed of pedestrians is less than 3.5 feet per second.

Figure 4C-5. Warrant 4, Pedestrian Four-Hour Volume



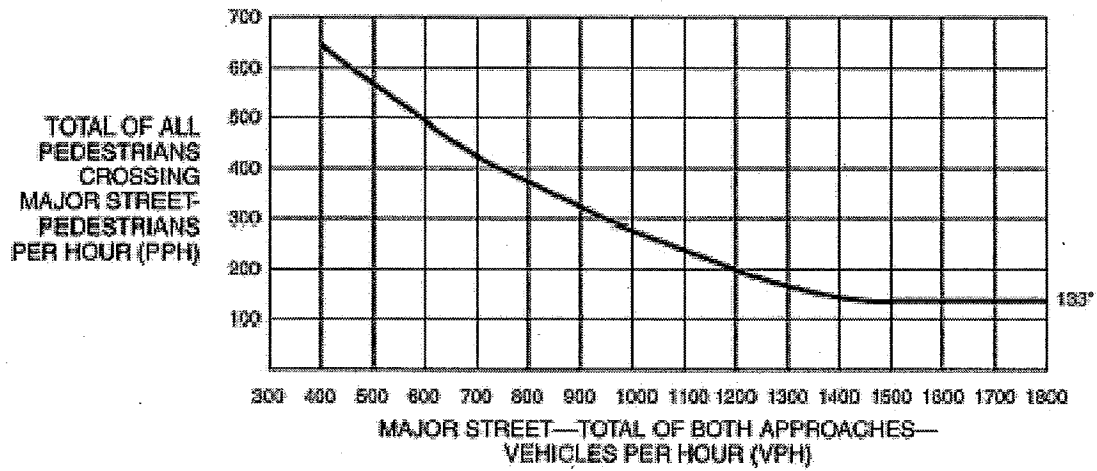
*Note: 107 pph applies as the lower threshold volume.

Figure 4C-6. Warrant 4, Pedestrian Four-Hour Volume (70% Factor)

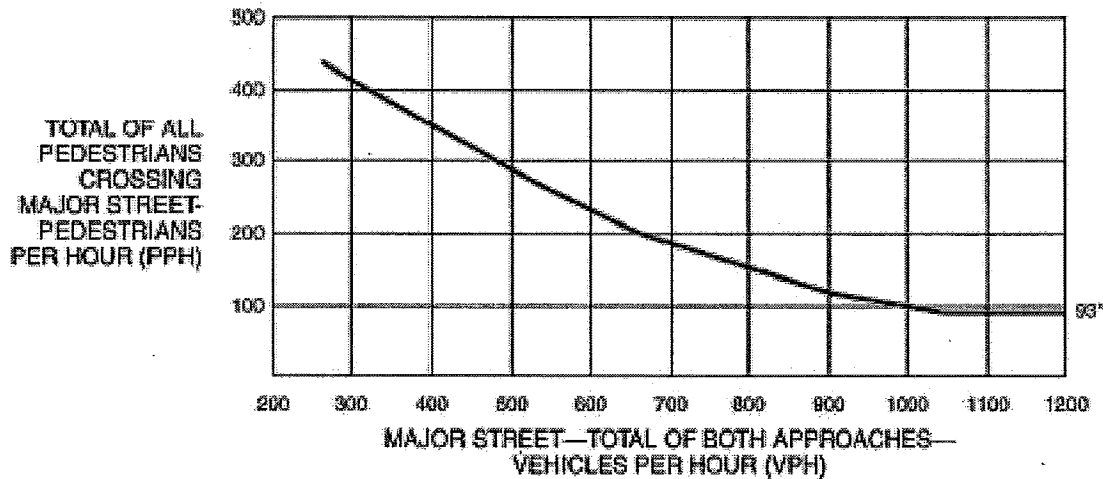


*Note: 75 pph applies as the lower threshold volume.

Source: 2012 MUTCD

Figure 4C-7. Warrant 4, Pedestrian Peak Hour

*Note: 133 pph applies as the lower threshold volume.

Figure 4C-8. Warrant 4, Pedestrian Peak Hour (70% Factor)

*Note: 93 pph applies as the lower threshold volume.

Pedestrian Volume Warrant (MUTCD Warrant 4) Calculations

Since the posted speed limit on the 38th Avenue is 25 miles per hour and the 15th-percentile crossing speed of pedestrians utilizing the crosswalk is forecast to be less than 3.5 feet per second, based on MUTCD guidelines, Figure 4C-7 with a 50-percent reduction for the required number of pedestrians crossing per hour is used for the peak hour warrant calculations.

Based on information provided by the project applicant a maximum total of 92 persons associated with the project site are forecast to cross 38th Avenue to access the existing retail center and other land uses in the project site vicinity.

Existing peak hour vehicular traffic volumes utilized in this analysis are based on information contained in the Reposa Avenue Traffic Study recently prepared by RBF Consulting.

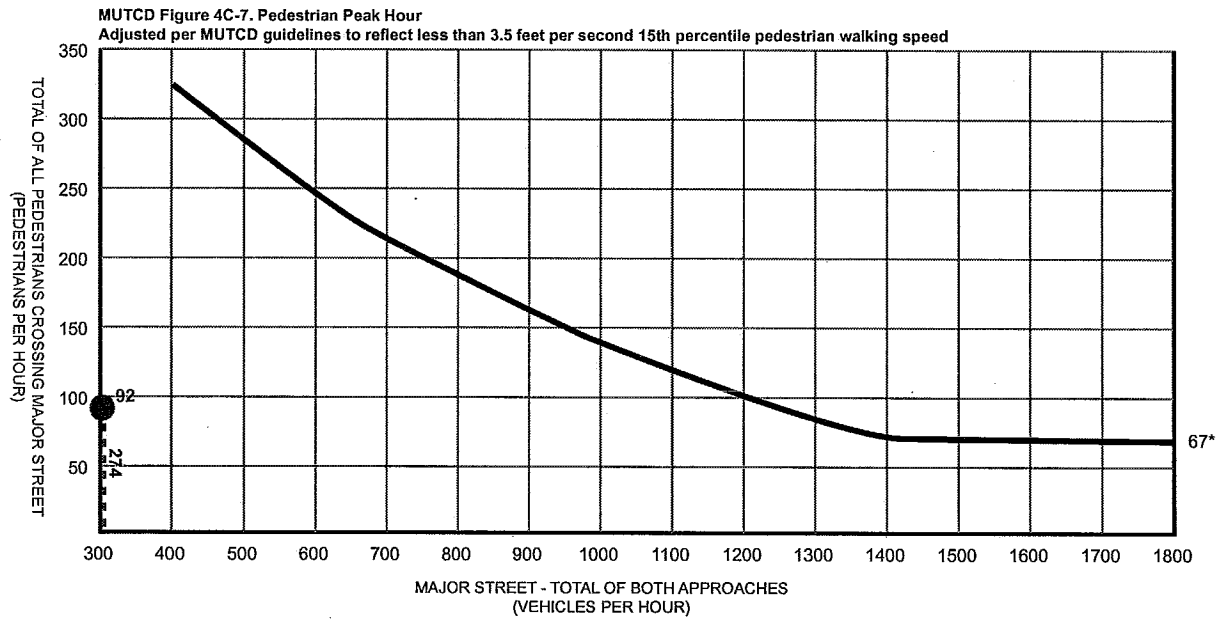
Table 8 summarizes the results of the Warrant 4 (Pedestrian Volume Warrant) analysis during the a.m. peak hour and the p.m. peak hour. Exhibit 3 shows the forecast pedestrian volume warrant analysis chart for the a.m. peak hour conditions. Exhibit 4 shows the forecast pedestrian volume warrant analysis chart for the p.m. peak hour conditions.

Table 8
Summary of Warrant 4 – Pedestrian Volume Warrant Analysis

Study Location	Warrant Satisfied?	
	AM Peak Hour	PM Peak Hour
Project Site Location at 38 th Avenue	No	No

As shown in Table 8, the *MUTCD* Pedestrian Volume Warrant is not satisfied for the study location. However, vehicular and pedestrian volumes at this location should be monitored and a signalized pedestrian crossing could be installed when the pedestrian and vehicular volumes become high enough to satisfy the warrant.

Meanwhile, installation of a signalized pedestrian crossing is at the discretion of the City. Exhibit 5 shows a conceptual layout of the pedestrian crossing on 38th Avenue.



Source: 2012 MUTCD

Notes: Vehicular volumes are based on data contained in the Reposa Avenue Traffic Analysis prepared by RBF Consulting
Pedestrian crossing volumes are based on data provided by project applicant

* 67 pedestrians per hour applies as the lower threshold volume adjusted per MUTCD guidelines to reflect less than 3.5 feet per second 15th percentile pedestrian walking speed

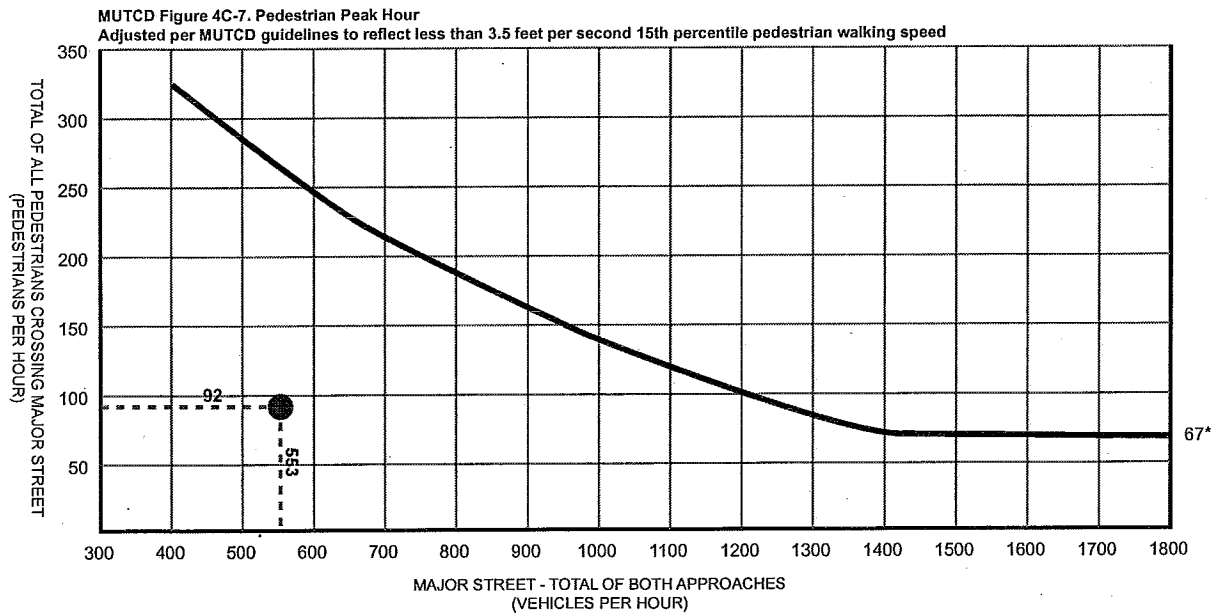


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Forecast Existing AM Peak Hour Pedestrian Crossing Warrant Analysis for 38th Avenue

Exhibit 3



Source: 2012 MUTCD

Notes: Vehicular volumes are based on data contained in the Reposa Avenue Traffic Analysis prepared by RBF Consulting
Pedestrian crossing volumes are based on data provided by project applicant

* 67 pedestrians per hour applies as the lower threshold volume adjusted per MUTCD guidelines to reflect less than 3.5 feet per second 15th percentile pedestrian walking speed



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Forecast Existing PM Peak Hour Pedestrian Crossing Warrant Analysis for 38th Avenue

Exhibit 4



SCALE: 1" = 20'



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**Exhibit 5 - Villa Capitola Senior Housing Project
38th Street Pedestrian Crossing Conceptual Design**

ATTACHMENT A
City of Capitola Municipal Code
Parking Space Requirements

Capitola Municipal Code

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[Title 17 ZONING](#)
[Chapter 17.51 PARKING AND LOADING](#)

17.51.130 Number of parking spaces required.

The number of off-street parking spaces required for each use shall be as follows:

Residential.

A. Residential Structures, Single-Family Detached.

1. The minimum parking requirement for single-family residential units up to one thousand five hundred square feet shall be two uncovered spaces.
2. For single-family residential units one thousand five hundred one square feet to two thousand square feet, the minimum requirement shall be two spaces, one of which must be covered.
3. For single-family residential units two thousand one square feet to two thousand six hundred square feet, the minimum parking requirement shall be three spaces, one of which must be covered.
4. For single-family residential units two thousand six hundred one square feet to four thousand square feet, the minimum parking requirement shall be four spaces, one of which must be covered.
5. For single-family residential units four thousand one square feet and larger, the minimum parking requirement shall be one covered space and three uncovered spaces unless the planning commission determines that additional parking is needed based on house size, location, and/or conditions in the neighborhood.
6. Interior (covered) parking spaces shall be a minimum of ten feet by twenty feet clear, as measured from the interior finished wall surfaces. An additional one hundred square feet of ancillary activity area, e.g., laundry, workshop, or storage, which is not included in the area subject to additional parking requirements, is permitted in conjunction with the first required covered space provided in a detached garage.
7. The planning commission may require additional uncovered parking spaces beyond the minimum requirement for residential units over four thousand square feet, or if a finding can be made that there is a parking problem in the neighborhood.
8. No additional square footage exceeding ten percent of the existing gross floor area may be added to an existing single-family residential unit, unless minimum parking requirements are met.
9. Uncovered parking spaces for single-family residential units shall be ten feet by twenty feet in the front setback (or eighteen feet minimum for lots located in sidewalk exempt areas), i.e., on the driveway apron, with two feet of landscaping provided along the side property line, except that for existing homes and remodels, uncovered parking spaces may be nine feet wide. Uncovered spaces provided in tandem on a single-width driveway beyond the front setback shall also be located within an eleven-foot (for remodels and additions) or twelve-foot (for new units) area that includes two feet of required landscaping adjacent to the side property line. Tandem spaces outside the front setback may be eighteen feet in length.
10. Two feet of landscape planting is required in the front yard setback between the parking area and the side property line.
11. Maximum width of driveways serving attached or detached garages is twenty feet, not including the landscaped area.
12. A twelve-foot driveway is required to access attached or detached single garages beyond the front setback for new homes; an eleven-foot driveway may be permitted for remodels and additions. Two cars may be parked in tandem in the driveway in front of a garage or carport.

13. Permeable driveway materials other than gravel are encouraged, as well as paved wheel strips for driveways, to increase extent of pervious surfaces on site.

B. Dwellings duplex or triplex, two for each unit, one space for each unit must be covered, tandem parking is permitted if the tandem parking is for an individual unit, each space must be a minimum of nine feet by eighteen feet.

C. Dwellings, apartments and condominiums (townhouse) of more than four units, one covered space for each unit, plus one and one-half additional spaces on the site for each dwelling unit. Each regular space must be a minimum of nine feet by eighteen feet. Forty percent of the spaces may be compact spaces of eight feet by sixteen feet.

D. Hotels and motels, one space for each guest room. Such additional spaces as the planning commission determines are necessary for the owners and employees. Each regular space must be a minimum of nine feet by eighteen feet. Thirty percent of the spaces may be compact spaces of eight feet by sixteen feet.

E. Bed-and-breakfast, one space for each bedroom rented, in addition to the spaces required for the single-family residence, each regular space must be a minimum of nine feet by eighteen feet. Fifty percent of the spaces may be compact spaces of eight feet by sixteen feet.

Quasi-public.

F. Churches, clubs, lodges, theaters,
one space for each forty square feet of floor area usable for seating or one for each three seats each regular space must be a minimum of nine feet by eighteen feet. Thirty percent of the spaces may be compact spaces of eight feet by sixteen feet.

G. Schools, one space for each employee, including teachers and administrators, plus additional spaces as determined by the planning commission to be adequate for student and visitor parking. Each regular space must be a minimum of nine feet by eighteen feet. Forty percent of the spaces may be compact spaces of eight feet by sixteen feet.

H. Sanitariums and nursing homes, one space for each six beds plus one space for each three employees, all nine feet by eighteen feet.

I. Medical office and clinics, one space for each three hundred square feet of gross floor area or five spaces per doctor, whichever is greater, all nine feet by eighteen feet.

Commercial.

J. Retail use and restaurants/take-out food establishments with six or fewer seats, one space for every two hundred forty square feet of gross floor area, each regular space must be a minimum of nine feet by eighteen feet. Thirty percent of the spaces may be compact spaces of eight feet by sixteen feet.

K. Wholesale establishments or warehouses, including mini-storage, one space per each five thousand square feet. Each space must be a minimum of nine feet by eighteen feet. No compact spaces are allowed.

L. Restaurants, one space per sixty square feet of gross floor area, each regular space must be a minimum of nine feet by eighteen feet. Fifty percent of the spaces may be compact spaces of eight feet by sixteen feet.

M. Bakeries, one space per two hundred forty square feet of gross floor area, each regular space must be a minimum of nine feet by eighteen feet. Thirty percent of the spaces may be compact spaces of eight feet by sixteen feet.

N. Bowling alleys, one space per five lanes, plus parking required for restaurant or retail uses associated with the facility, each regular space must be a minimum of nine by eighteen feet. Thirty percent of the spaces may be compact spaces of eight feet by sixteen feet.

O. Offices, corporate, administrative, real estate, one space per two hundred forty square feet of gross

building space. Each regular space must be a minimum of nine feet by eighteen feet. Thirty percent of the spaces may be compact spaces of eight feet by sixteen feet.

P. Large community care residential facility or large family day care house, one for each employee not permanently residing at the facility or house. Parking requirements not specifically mentioned shall be determined by the planning commission. (Ord. 873 § 15, 2004; Ord. 718 § 1 (part), 1991; Ord. 700, 1990; Ord. 695, 1990; Ord. 623 (part), 1987; Ord. 608 § 10, 1986; Ord. 388 § 17.09, 1975)

ATTACHMENT B
City of Live Oak, CA Municipal Code Pages

17.25.110 Landscaping and Lighting

17.25.130 Maintenance

17.25.010 Purpose

The following requirements are intended to ensure that sufficient but not excessive off-street parking facilities are provided for all uses, and that parking facilities are designed to be attractive and unobtrusive.

17.25.020 Applicability

At the time of the installation, erection, enlargement or increase in capacity of any building, or at the time there is a change in the nature of occupancy or expansion of use of property, any of which would require increased parking, the following minimum off-street parking and loading spaces shall be provided, as well as adequate ingress and egress, in accordance with this Chapter.

17.25.030 Required Parking

- A. Number of required spaces:** The following number of spaces are required for each listed use, unless provided for elsewhere in this Chapter. The spaces shall be located on the same building site as the building or use, unless otherwise provided in this Chapter.

Table 17.25.030: Required Parking by Land Use

Residential Land Uses	Number of Required Parking Spaces
Single family residence	2 spaces.
Two family residence or half-plex	2 spaces per residence.
Multiple family residence	1 space per studio apartment or one-bedroom unit. 1.5 spaces per two-bedroom unit. 2 spaces per three-bedrooms or more. - Plus 1 guest space per 10 residences.
Second residence	1 space in addition to the 2 spaces for the primary residence.
Manufactured home park	2 spaces per residence (may be tandem) plus 1 guest space per 5 residences.
Bed and breakfast, boarding house	2 spaces plus 1 space per room for rent.
Residential care home, senior housing	.6 space per unit, or prepare a parking study based on type of residents, proximity to services (shopping, medical, etc.) and transit.

ATTACHMENT C
City of Santa Cruz, CA Municipal Code Pages

v.	Physical therapy	1 space per 200 square feet of floor area. In addition, 1 space per 50 square feet of pool (water) area				
w.	Residential Uses					
		Number of Bedrooms				
	Type	Efficiency	1	2	3	4 or more
	Single-family *(including townhouses)	1.0	1.0	2.0	2.0	3 + 1 for ea. addl. bedroom
	Houseboat, duplex, triplex, multiple mobilehome	1.0	1.5	2.0	2.0	3 + 0.5 for ea. addl. bedroom
	Lodging, rooming houses and bed-and-breakfast inns		2 spaces, plus 1 for each bedroom			
	Residence halls, dormitories		0.75 space for each guest or occupant			
	Senior housing development		1 for each 3 dwelling units or rooms intended for separate occupancy, plus an area of land equal to the required off-street parking for apartments, not including required open space, which could be converted to parking should the retirement center change to a multifamily residential use			
	Small ownership unit (SOU)		1 space for each dwelling unit			
	Single-room occupancy dwelling unit, less than 300 square feet**		0.75 for each dwelling unit			
	Single-room occupancy dwelling unit, 300 square feet or more**		1 for each dwelling unit			
	Accessory dwelling unit***		1 parking space, covered or uncovered, shall be provided on site for each bedroom in addition to the required parking for the primary residence			
	Community housing projects		In addition to meeting above residential parking requirements, 1 additional parking space for each 4 dwelling units shall be provided			
	Covered Parking. At least 1 of the required parking spaces for each dwelling unit shall be covered, within a carport or a garage unless otherwise specified within Title 24. Each standard-size parking space required to be located in a garage or carport for a residential unit shall be not less than nineteen feet in length by eight and one-half feet in width (19 ft. x 8 1/2 feet)					
	Covered Parking Exception. Exceptions to parking requirements may be granted to					

ATTACHMENT D
City of Seaside, CA Municipal Code Pages

17.34.040 - Number of parking spaces required.

Each land use shall be provided the number of off-street parking spaces required by this section. See Sections 17.34.060 and 17.34.070 for off-street parking requirements for bicycles and motorcycles, respectively.

A. Parking requirements by Land Use.

1. Each land use shall provide the number of off-street parking spaces required by Table 3-7, except where a greater number of spaces is authorized through minor use permit or use permit approval in compliance with Section 17.52.070
2. A land use not specifically listed in Table 3-7 shall provide parking as required by the zoning administrator. The zoning administrator shall use the requirements in Table 3-7 as a guide in determining the appropriate number of off-street parking spaces required for the use.
3. In any case where Table 3-7 expresses a parking requirement based on floor area in square feet (for example: one space for each one thousand sf), "sf" means square feet of gross interior leaseable floor area, unless stated otherwise (e.g., ground area).
4. A single use with accessory components shall provide parking for each component. For example, a hotel with a gift shop shall provide the parking spaces required by Table 3-7 for a hotel (e.g., the guest rooms), and for a gift shop.

B. Expansion of Structure, Change in Use. When a structure is enlarged, or when a change in its use requires more off-street parking than the previous use, additional parking spaces shall be provided in compliance with this chapter. See also Chapter 17.62 (Nonconforming Uses, Structures and Parcels).

C. Multi-Tenant Sites.

1. A site with multiple tenants (e.g., two or more) shall provide the aggregate number of parking spaces required for each separate use (e.g., sum of the separate requirements for each use), except where the site is developed as an integrated shopping center with shared parking and no spaces reserved for a particular use. In this instance, the parking shall be provided as required by Table 3-7 for a shopping center.
2. When a multi-tenant center includes one or more uses that will need more parking than retail uses (e.g., a health/fitness facility, restaurant, or theater) additional parking shall be required for the non-retail use unless a parking reduction is approved in compliance with Section 17.34.080 (Reduction of Parking Requirements), below.

D. Alternate Use of Parking Areas Prohibited. Off-street parking areas shall not be used for the repair, servicing, or storage of vehicles or materials, the sale of any goods or services, or any other work area.

E. No Reduction of Parking Facility Allowed. No off-street parking facility shall be reduced in capacity or in area without sufficient additional capacity or additional area being provided in order to comply with the parking regulations of this chapter.

F. Recreational Vehicle (RV) Parking Spaces. Off-street recreational vehicle (RV) parking spaces shall be provided as follows for retail uses, shopping centers, and visitor attractions that are required by this chapter to provide forty or more off-street parking spaces.

1. Number of RV Spaces Required. RV parking spaces shall provided at a minimum ratio of one RV space for each forty off-street vehicle parking spaces, or fraction thereof, required by this chapter.
2. RV Stall Dimensions. Each RV parking space shall be designed as a pull-through space

with a minimum width of twelve feet and a minimum length of forty feet, with fourteen feet of vertical clearance.

3. Modifications by Zoning Administrator. The zoning administrator may modify the provisions of this subsection through a minor use permit granted in compliance with Section 17.52.070
- G. Excessive Parking.
1. The city discourages a land use being provided more off-street parking spaces than required by this chapter in order to avoid the inefficient use of land, unnecessary pavement, and excessive stormwater runoff from paved surfaces.
 2. The provision of off-street parking spaces in excess of the requirements in Table 3-7 is allowed only with minor use permit approval in compliance with Section 17.62.070, and only when additional landscaping, pedestrian amenities, and necessary storm drain improvements are provided to the satisfaction of the review authority.
- H. Rounding of Calculations. If a fractional number is obtained in calculations performed in compliance with this chapter, one additional parking space shall be required for a fractional unit of one-half or above, and no additional space shall be required for a fractional unit of less than one-half.
- I. Bench or Bleacher Seating. Where fixed seating is provided as benches, bleachers, pews, or similar seating, a seat shall be defined as twenty-four inches of bench space for the purpose of calculating the number of parking spaces required by Table 3-7.
- J. Parking Based on Employees. Whenever parking requirements are based on the number of employees, calculations shall be based on the largest number of employees on duty at any one time.
- K. Use of On-Street Parking—Exception. Available on-street parking spaces cannot be used to meet the parking requirements identified in this chapter. An exception to this provision may be granted for a licensed day care facility or a pre-school, subject to minor use permit approval in compliance with Section 17.52.070
1. The minor use permit may be issued if it meets all of the following criteria, in addition to the findings identified in Section 17.52.070
 - a. The exception shall be granted only for uses in an existing structure. It shall not be granted for any expansion of gross floor area to a structure, for new construction, or where the use of an existing building has been intensified by subletting portions of the building for additional uses.
 - b. The maximum amount of parking which is feasible shall be provided on-site.
 - c. The exception shall only be granted in situations where the city engineer has determined that the exception will not result in potentially unsafe conditions for vehicles or pedestrians.
 2. Each minor use permit that grants an exception to off-street parking requirements shall be reviewed on an annual basis and, if it is found that the use of on-street parking spaces by the facility is creating a nuisance, the city may initiate proceedings to revoke the minor use permit in compliance with Section 17.69.080 (Revocation of Permits).
- L. Nonconforming Parking. A use or structure with nonconforming off-street parking may be physically changed or undergo a change in use in compliance with the following provisions.
1. Residential Uses. No additional parking spaces shall be required; provided, the change does not increase the number of dwelling units, nor eliminate the only portion of the site that can be used for the required or existing parking or access.
 2. Nonresidential Uses.
 - a. The number of existing parking spaces shall be maintained on the site and additional parking shall be provided in compliance with this chapter for any

- additional floor area.
- b. If the use of the structure is changed to one that requires more parking than the previous use, only the difference between the number of parking spaces required for the previous use and those required for the new use shall be added.
 - c. The change shall not eliminate the only portion of the site that can be used for the required or existing parking or access.
3. Waiver of Requirements. The parking requirements of this chapter may be waived by the commission through use permit approval when a nonconforming structure is proposed for rehabilitation if the commission first finds that the existing structure location, parcel size, or topography renders the requirement unreasonable.

Table 3-7 Parking Requirements By Land Use

Land Use Type: Manufacturing Processing and Warehousing	Vehicle Spaces Required
All manufacturing, industrial, and processing uses, except the following	1 space for each 200 sf of office area;
	1 space for each 500 sf of floor and/or ground area devoted to other than office use;
	1 space for each 5,000 sf of open storage.
Media production	1 space for each 300 sf.
Recycling facilities	
Heavy or light processing facilities	Determined by use permit.
Large collection facilities	Determined by use permit.
Scrap/dismantling yards	1 space for each 300 sf, plus 1 space for each 10,000 sf of gross yard area.
Small collection facilities	Determined by minor use permit.
Wholesaling and distribution	1 space for each 500 sf.

Land Use Type: Recreation, Education, and Public Assembly	Vehicle Spaces Required
Clubs, community centers, lodges, and meeting halls	1 space for each 4 fixed seats or 1 space for each 100 sf where there are no fixed seats.
Commercial recreation facilities - Indoor, except for the following:	1 space for each 400 sf.
Arcades	1 space for each 200 sf.
Bowling alleys	4 spaces for each alley.
Pool and billiard rooms	2 spaces for each table.
Commercial recreation facilities - Outdoor	Determined by use permit.
Conference/convention and sports/entertainment facilities	1 space for each 200 sf.
Equestrian facilities	1 space for each 5 horses boarded.
Golf	
Golf courses and country clubs	4 spaces per hole, plus as required by this table for accessory uses (e.g., banquet room, bar, pro shop, restaurant, etc.)
Golf driving range	1 space for each tee.
Health/fitness facilities	1 space for each 200 sf.
Library, gallery, and museum	1 space for each 300 sf.
Schools (private or public)	
Kindergarten and nursery schools	1 space per employee plus 1 space for each 10 children.

(Middle) Elementary/junior highs	1 space per employee plus 1 space for each 10 students.
(Secondary) High schools	1 space per employee plus 1 space for each 10 students.
Colleges and universities (including trade, business, and art/music/dancing schools)	1 space per employee plus 1 space for each 5 students.
Studios (art, dance, martial arts, music, etc.)	1 space for each 200 sf.
Theaters, auditoriums, and places of assembly	1 space for each 4 seats or 1 space for each 100 sf, whichever would yield more spaces.

Land Use Type: Residential Uses	Vehicle Spaces Required
Condominiums and condominium conversions	2 covered spaces for each unit, plus 1 space for each unit for guest parking.
Duplex, triplex, or fourplex unit	1 covered space for each unit, plus 1 space for each 2 units for guest parking.
Live/work unit	2 spaces for each unit.
Mobilehome	
Outside of mobilehome park	1 covered space for each unit.
Within a mobilehome park	2 covered spaces for each mobilehome (tandem parking allowed in an attached carport), plus 1 guest parking spaces for each 4 units. Recreational vehicle parking shall be provided at the rate of 1 space for every 5 units.
Multi-family housing	
0 - 1,800 sf	1 covered space for each unit, plus 1 space for each 2 units for guest parking.
1,801+ sf	2 covered spaces for each unit, plus 1 space for each 2 units for guest parking.
Residential care facility	1 space for each 2 residential units, plus 1 space for each 4 units for guests and employees.
Residential second unit	1 additional parking space (Parking in the front or street side setback shall not count toward this parking requirement.
Senior housing	1 space for each unit with half the spaces covered, plus 1 guest parking space for each 10 units.
Single dwelling with additions	
0 - 1,200 sf	No additional parking requirement.
1,201 - 1,800 sf	2 spaces, at least one covered.
1,801+ sf	2 covered spaces.
Single dwelling, attached	2 spaces within a garage for each unit, plus 1 space for each unit for guest parking.
Single dwelling, detached	2 spaces within a garage.

Land Use Type: Retail and Service Commercial	Vehicle Spaces Required
Parking Requirements. In an effort to simplify the calculation of parking demand and to anticipate future tenants, the list of nonresidential (e.g., retail and service commercial) off-street parking requirements shall be broken down into the following four distinct categories based on the anticipated level of parking demands. See also the parking requirements for other specific retail and service uses on the following page.	
Group One: Uses with "low parking demand." Examples include appliance, carpet, fabric, furniture, and tile stores; book, card, and stationary stores; camera, dry cleaning and laundry, flower, gift, glass, hardware,	1 space for each 500 sf or less, with a minimum requirement of 4 spaces.

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heating and electrical, jewelry, paint, pet, plumbing, wallpaper stores; home improvement stores; photography studios, print shops; supermarkets; and other retail and light industrial uses determined to be similar by the zoning administrator.	
Group Two: Uses with "medium parking demand." Examples include bakeries, banks, barber shops, beauty shops, business and professional offices, convenience stores, department stores, donut and ice cream shops, liquor stores, secondhand stores, and other retail uses determined to be similar by the zoning administrator.	1 space for each 300 sf or less, with a minimum requirement of 5 spaces.
Group Three: Uses with "high parking demand." Examples include bars, coffee houses, dental and medical offices and clinics, health clubs, laundromats, restaurants and other intense uses determined to be similar by the zoning administrator.	1 space for each 200 sf.
Group Four: Uses with "unique parking demands." Examples include auto repair, auto sales, contractor's yards, funeral homes, gas stations, hotels and motels, large day care facilities (e.g., child care and seniors), large group homes, mini-warehouse, self-service car wash, theaters, and other uses determined to be similar by the zoning administrator.	
Auto and vehicle repair/service	4 spaces for each service or wash bay, plus spaces for any office as required by this section for offices.
Auto and vehicle sales and rental	1 space for each 400 sf of floor area for the showroom and offices, plus 1 space for each 2,000 sf of outdoor display area, plus spaces as required by this section for parts sales and vehicle repair/service.
Contractor's storage yards	1 space for each 3,000 sf of lot area, plus spaces for any office as required by this section for offices.
Gas stations without repair services	.25 space for each gas pump, plus 2 spaces for each gasoline pump island, plus spaces as required by this section for convenience goods sales.
Large day care facilities	1 space for each staff person, plus 1 space for each 3 occupants
Lodging - hotels and motels	1 space for each unit, plus 2 spaces for the manager or owner, plus required spaces for all accessory uses (e.g., conference center, restaurant, spa, or other recreational facilities).
Mortuary, funeral homes	1 space for each 300 sf of floor area within the facility or 1 space for each 4 seats in the sanctuary, whichever would yield more spaces.
Personal storage (mini-warehouses)	4 spaces for the manager's office.
Restaurant	1 space for each 3 seats.
Self-service car washes	1 space for each wash bay.
Theaters (e.g., movie)	1 space for each 4 seats or 1 space for each 100 sf, whichever would yield more spaces.

(Ord. 955 § 1(part), 2006).

ATTACHMENT E
ITE Parking Generation Senior Housing
Parking Survey Summary

Land Use: 252

Senior Adult Housing—Attached

Land Use Description

Senior adult housing consists of attached independent living developments, including retirement communities, age-restricted housing and active adult communities. These developments may include limited social or recreational services. However, they generally lack centralized dining and on-site medical facilities. Residents in these communities live independently, are typically active (requiring little to no medical supervision) and may or may not be retired. Congregate care facility (Land Use 253) and continuing care retirement community (Land Use 255) are related uses.

Database Description

The database consisted of two study sites.

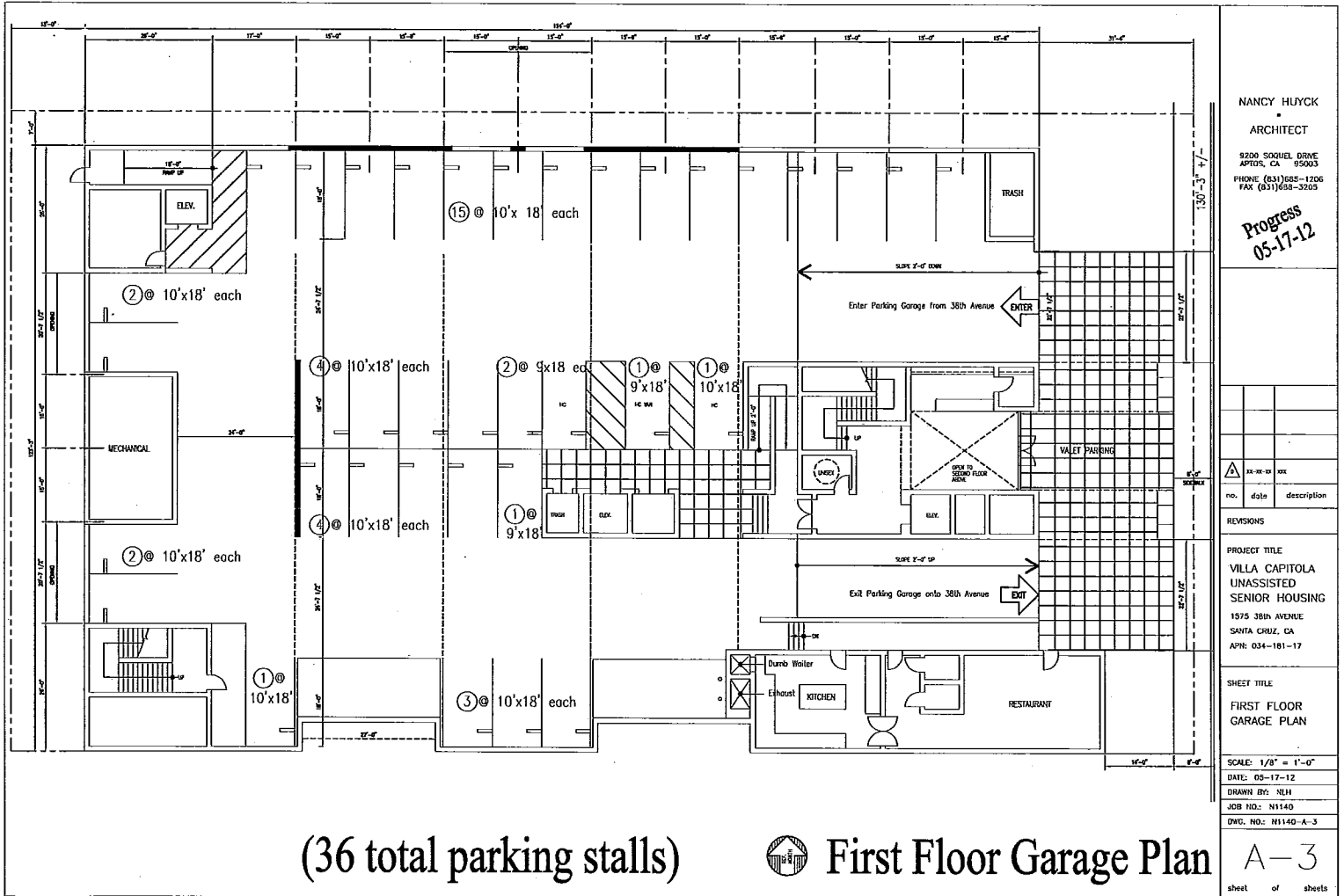
- The study sites had 46 and 91 dwelling units.
- Parking supply ratio: 1.2 and 1.4 spaces per dwelling unit, respectively.
- Weekday peak parking demand ratio: 0.50 and 0.33 parked vehicles per dwelling unit at the 46- and 91-unit sites, respectively.
- Saturday peak parking demand ratio: 0.50 and 0.34 parked vehicles per dwelling unit at the 46- and 91-unit sites, respectively.

Parking demand counts were submitted for the hours beginning at 9:00 a.m., 10:00 a.m., 2:00 p.m. and 5:00 p.m. From these limited data, no definitive peak hour or peak period was established.

Study Sites/Years

Huntington Beach, CA (1989)

ATTACHMENT F
Proposed Project site Plan



VILLACAPITOLA
1575 38th Avenue
Capitola, CA 95010

May 22, 2013

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

Dear Planning Commission,

Villa Capitola offers retirement living at its best in a small town environment with big city benefits. It draws its inspiration from the Mediterranean style of Italy. This independent senior living complex consists of 23 units of high quality architecture with a variety of floor plans including studios, one-bedroom and two bedroom residences. Villa Capitola is a new kind of retirement village for a new kind of retiree. In this ideal location residents can stay within the complex and enjoy many activities such as swimming, bocci ball, hobbies, exercise, yoga, massage, book club, classes, educational speakers, wifi, and dining. In addition, residents can walk to nearby book stores, theaters, restaurants, and numerous retail outlets and services. Our shuttle service will provide supplemental transportation for residents to a variety of popular destinations along our beautiful coast. The on-site restaurant will serve meals in a dining room, coffee bar, or poolside cabana. Residents will be surrounded with an invigorating sense of community in the heart of Capitola.

Significant changes in this senior living complex have been made since our original submittal. These revisions were made in response to feedback from the City Council, the Planning Commission and our neighbors on 38th Avenue and Bulb Avenue. With assistance from Capitola Planning Department and Public Works the following changes have been made:

- A significant reduction in scope of project.
- Increased setbacks on side, front, and rear.
- Height reduction from 4 stories with 67 units to 3 stories with 23 units.
- Completed traffic study indicating little measurable impact.
- Completed parking study finding 35 spaces more than sufficient.
- A Negative Environmental Declaration indicates that there is no mitigation necessary for this building to fit in the neighborhood.
- Increased landscaping for a total of 23% of site.
- Single ingress/egress to parking garage
- Two towers and balconies removed from back of building to accommodate neighbor concerns regarding privacy.

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The building has been totally redesigned to be consistent with the existing neighborhood while taking into consideration future development in the area. We have discussed with the Capitola Public Works Department how a combined effort can make our portion of 38th Avenue roadway a snapshot of what future redevelopment could be.

Villa Capitola has been designed, engineered, and will be constructed by Santa Cruz County's most reputable professionals. In keeping with world class standards in green building, repurposed materials will be used when appropriate. Our energy source will be supplemented by a comprehensive solar system. Recirculation of rain water from an on- site reservoir will decrease use of public water sources. We look forward to working with the City of Capitola to make this senior living complex an asset to the community.

Regards,

~~Stephen Mathew Thomas~~

Maureen Romac-Thomas

MAUREEN A. ROMAC

ATTACHMENTS

Drawings: 7 sets

Materials Board: submitted previously

Preliminary Storm Water Management Report (Bowman& Williams) 2 booklets submitted previously

PROJECT DATA

Villa Capitola: Unassisted Senior Rental Units for ages 55 and older

Location: 1575 38th Avenue Capitola, CA (mailing address is Santa Cruz CA 95062)

APN: 034-181-17

Parcel Site: Approximately 31,300 sf (130' x 240' approximately)

Zoning: PD

Number of Stories: 3

Number of Residential Units: 23

Number of Parking Stalls: 35

PROPOSED PROJECT TEAM

Developer: Steve Thomas and Maureen Romac

Land Surveyor: Bowman and Williams

3D Rendering: Alan Hymes Animatehouse

Architect: Huyck Architects

Civil Engineer: Bowman& Williams

Structural Engineer: McLucas Engineers

Mechanical Engineer: Axiom Engineers

Electrical Engineer: Prime Design

Landscape Design: Huyck Architects

Construction Consultant: Tewolde Berhane

General Contractor: Slatter Construction

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Dear Planning Commissioners,

The attached documents are petitions with signatures of persons in support of the proposed senior living development on 38th Avenue. The majority of these signatures are from Capitola and specifically the streets surrounding the property (41st Ave., 38th Ave. and Bulb Ave.). There are almost 200 signatures representing a cross section of ethnicity, gender, age and economic status. Many expressed interest in living in this residential development themselves or for their own family members.

Thank you for your time and consideration,

MAUREEN A. ROMAC


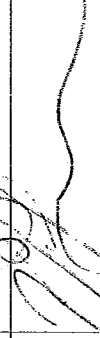

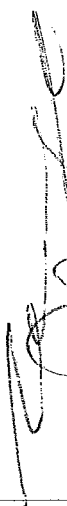

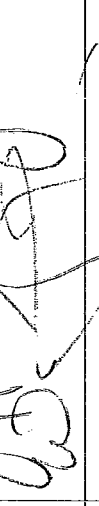
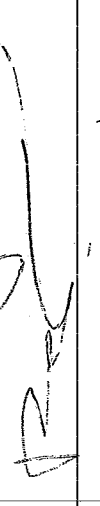



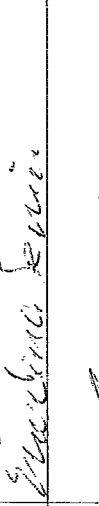

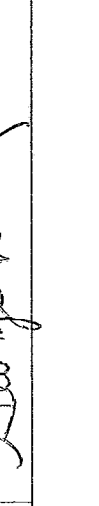
Maureen A. Romac

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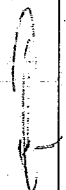

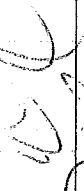
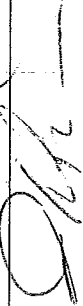


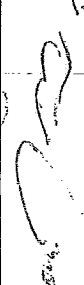


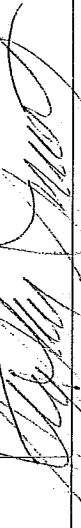
VILLA CAPITOLA

Please sign below to show your support for the construction of senior housing at 1575 38th Avenue. This senior housing will consist of 23 units, a parking garage, swimming pool, dining room and other amenities in a 3 story Mediterranean style building. This location offers seniors the ability to walk to restaurants, grocery store, theater and other retail outlets. This petition will be presented to the Capitola Planning Commission and Capitola City Council. Thank for your support.

Print Name	Street Address City	Email or phone#	Signature
Sarah Jones	1417 38 th Ave.		
Micole Timewell	1415 South 43 rd		
Sandra Frahm	1395A 38 th St.		
Tony Espinoza	1367 38 th Ave		
Jeff Valdez Jr	1373 38 th Ave.		
Bill Thayer	164 EVERSON DR.		
ROMANEL CORFUTZ	3833 BROMBER ST		
Claukia Capina	1335 38 th Ave		
Christy Penick	1355 38 th Ave		
Nancy Eskelson	1305 38 th Ave		
Spedman Savin	3740 Broadway St		
Rance M. Har	2264 Capitola Rd #B		
George Perez	40 Miles Ln		

VILLA IPITOLA

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Print Name	Street Address City	Email or phone#	Signature
Tom Parks	GUADALUPE ST CAPITOLA	(831) 625-9004	
RANU GUPTA	LAKEVIEW AVE FELTON, CA	408-599-9106	
Pak	4154 COURT DR	831 239 1310	
Shawn Highland	855 Monterey Ave Capitola	831-247-1230	
ARON DUNN	1607 PMB, SANTA VITA	931-515-3204	
Sam Picone	26000 Corralitos	831-475-1221	
Andrew Parker	509 Redwood Ave.	beauty.making@gmail.com	
Harshita Ravi	616 Del Mar Way Vista		
JAREK TRUSCZYNSKI	1245 WILDERFIELD RD.	JAREKTR0@G-mal.com	
Shuley Saluka	1603 Fairland Way	jsaluka@sbcglobal.net	Shuley Saluka
Diana Polanco	110 Cordiff Ct Santa Cruz	adam.c@me.com	
Jupe Vargas	171 Red Hawk Ln Aptos	95023	
Stephanie Smith	235 DUNBAR ZANESVILLE	9300	














VILLA CAPITOLA

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Print Name	Street Address City	Email or phone#	Signature
Frank Ketsuda	236 Rosemarie CT Apt 5	831-464-3046	<i>Frank Ketsuda</i>
AS Crawford	1515 Capitola Rd Ste B Santa Cruz	831-474-4453	<i>AS Crawford</i>
Gill Rose	236 36 th Ave.	239-5884	<i>Gill Rose</i>
Patricia Wolf	4680 Portola St	432-4415	<i>Patricia Wolf</i>
Hazel Smith	200 32nd Ave SC	464 8918	<i>Hazel Smith</i>
Leslie Eggertson	1775 Pannamint Valley	(915) 283-6047	<i>Leslie Eggertson</i>
Maryland Smith	171 Vega Rd Watsonville, CA 95086	(831) 600-5912	<i>Maryland Smith</i>
Janet Feltre	252 Lomenario Ct Capitola	831-454-8201	<i>Janet Feltre</i>
SEANNE YOTT	750 Bay Ave	239-6323	<i>Seanne Yott</i>
Denise Dock	750 Bay Ave #4309	denisecdock@yahoo.com	<i>Denise Dock</i>
Del. Aze/6	750 Bay Ave 3209	—	<i>Del. Aze/6</i>
Gill Bourque	1126 Sutherland Capitola		<i>Gill Bourque</i>
Jim Bourque	1126 Sutherland Capitola		<i>Jim Bourque</i>



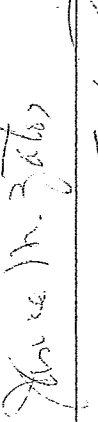

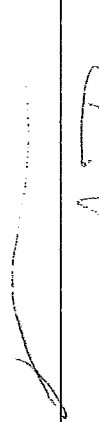

VILLA CAPITOLA

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Print Name	Street Address City	Email or phone#	Signature
Michael Solata	2443 9 th St Santa Cruz		
Cathy Craig Clark	479 Mc Donald Rd Aptos		
Connie Brennan	781 Cathedral Dr Aptos		
Nick Agnello	681 Corralitos Edge Road		
Kathy Link	174 Monte Navarro Ct San Jose, CA 95116		
Thomas DiRocco	890 38 th Santa Cruz 95062		
Manas Das	925 38 ave SP35 SC95062		
Eileen Chandler	925 38 SP36 SC95062		
Mike Wirstink	831-345-5546		
Jared Anderson	925 38 th Ave SPC #12 Santa Cruz 95062		
Margie Kundra	925 38 th Ave #18 SC 95062		
Andrea Richiady	925 38 th Ave #14 SC95062		
Alycia Galvan	911 38 th Ave #3		

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Print Name	Street Address City	Email or phone#	Signature
Graydon Carreras	Venetian Court #7, Capitola	graydon.carreras@gmail.com	
Timothy Lemos	723 Longview Pkwy, Aptos	timothy.lemos@gmail.com	
Janice Zator	34221 Wilson	zatorjindin@aol.com	
Tom Penderg	118 Sweetbriar Ft. Thomas, KY	tpenderg@pendesigns.com	
Ab Williams	10000 Hackensack Ave, Ohio	abwilliams@yahoo.com	
April Penderg	79 Sweetbriar Ave, Ft. Thomas	tpenderg@pendesigns.com	

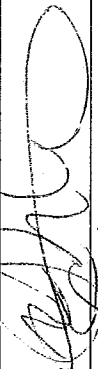
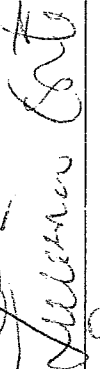






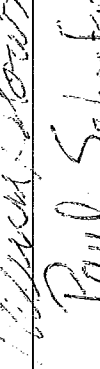



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Print Name	Street Address City	Email or phone#	Signature
Laura Douvan	1465 38 th Ave #3		Laura Douvan
Michael Kwiatkowski	1395 38 th Ave		M.D. Kwiatkowski
Torrey Claver	1399A 38 th Ave		T. Claver
Kristen Tritt	1385 38 th Ave Apt B-1		Kristen Tritt
Mark Billingsby	1365 38 th Ave		Mark B
Erik Hutchens	1371 38 th Ave		Erik Hutchens
Nicole Berridge	1480 Hillside Dr		Nicole Berridge
Ann Mendes	3809 Commerce St		Ann Mendes
DON SCHULER	3829 Commerce		Don Schuler
Laura Torrey	3824 Commerce		Laura Torrey
Ann	3837 Commerce		Ann
Maria Montoya	1345 38 th Ave		Maria Montoya
Kohi Deets	1355 38 th Ave	id.aloha@gmail	Kohi Deets

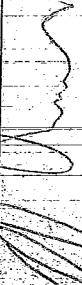


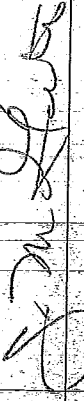


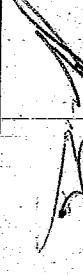



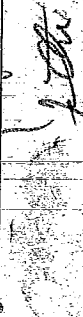


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Print Name	Street Address City	Email or phone#	Signature
Juliana Ortega	3760 Brynner St Santa Cruz CA 95062	julio13c@yahoo.com	
Jocina Ortega	3760 Brynner St CA 95062	J-LR-L Lecina@	
Debra Armstrong	701 Hill Ave. Watsonville (831)	339-3487	
Shirley Conner	925 38 th Ave #42		
Philip Brezler	925 38 th Ave #19		
Reg Wilkerson	925 38 th Ave #37		
Steve Chandler	560 30 th Ave. #44		
R Harris	925 38 th Ave #15		
Patricia P. Town	925 38 th Ave #1		
Paul Schachtsma	925 38 th St 15	ps1sch@aol.com	
Victor Cantista	925 38 th Ave #		
Guadalupe S. Mendonca	925 38 th Ave		

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Print Name	Street Address City	Email or phone#	Signature
Matthew Harvey	428 Seaside Street Santa Cruz 95060	57clippers@earthlink.net	
Eddie Bullman	13115 Redwood Ave Boulder Creek CA 95006	eddiebullman@yahoo.com	
Lee Stiller	Old San Jose	Ake.Stiller@earthlink.net	
Janita Guiter	345 Lawrence St Boco		
DAW DEJONG	205 EL SALTO DRIVE CAPITOLA CA 95010	j.dejong36@yahoo.com	
JULIE GARNER	4002 Chex PT Soquel	47711RB	
D Leffert	6035 Castello Dr. San Jose, CA	dr.leffert@earthlink.net	
TERRI LAUCKER	812 HANOVER ST SANTA CRUZ CA	lauckert@comcast.net	
Robert Barker	P.O. Box 8120 Sanibel FL	828-88877	
NANCY HENRY	7386 Hwy 9	831-428-655	
Laurie Jaffer	4300 Sognal Dr	831-345-7454	
Claude Cuthbert	6070 D. J. Feely	504 254 4449	
Thomas Underwood	2114 Derby Ave, Capitola	831-235-4363	

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Print Name	Street Address City	Email or phone#	Signature
Tina Rose	101 LLANO Ave. Sprinkles	sprfrose@aol.com	Tina Rose
Roseannia DuBois	1255 SWANER DR, Gilroy	rdubois@yahoo.com	R. DuBois
Maria Salinas	8195 Parish Way #11 Gilroy	mariasalinas@quest.net	Maria Q. Salinas
Jean Katsuda	236 Rosemarie CT Aptos	Jan.Katsuda@yahoo.com	Jean Katsuda
Kara Armijs	2261 Preston Ct., Hollister	Kara.Armijs@gmail.com	Kara Armijs
Robert Beardsley	5458 Mesa Rd, Gilroy, 95020	cmr2beard@yahoo.com	Robert Beardsley
Jacque Palmer	4 Arriba Dr Arroyo 95004	jacquepalmer@yahoo.com	Jacque Palmer
Diana Hovey	15310 Calle Enivigue Morgan Hill, CA 95037	diorange2003@yahoo.com	Diana Hovey
SAM Koy	1901 HATFORD AVENUE #28 SANTA CLARA	stejnba@gmail.com	SAM Koy

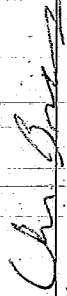



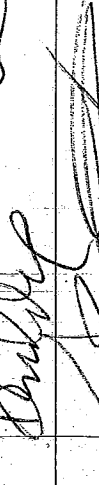



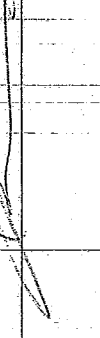
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Print Name	Street Address City	Email or phone#	Signature
Louis Towley	306 Coronado Dr. Aptos	602-0300	L. U. Towley
Angelica Stora	2265 Harper St. S.C.	761-4137	Angelica Stora
Maria Ariskoni	272 W. C. Ave. WTS.	761-2738	M. Ariskoni
Veronica Silva	1190 7 th Ave #22 Aptos	831-466-6059	Veronica Silva
Peter Dineen	201 MARINERS US	684 1212	Peter Dineen
Scott MacColligray	890 38 Ave, Santa Cruz, Ca		Scott MacColligray
Lauren K. Raish	540 37 th Avenue Santa Cruz		Lauren K. Raish
ED Dineen	3450 HARRIS Dr Aptos	688 4362	ED Dineen
Ray West	1520 BULL AVE		Ray West
Robert Russell	1484 BULL AVE		Robert Russell
Michelle Schmitt	1482 BULL AVE	477	Michelle Schmitt
Karen Mueser	1478 BULL AVE		Karen Mueser
Emil Diego	1470 BULL AVE		Emil Diego

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Print Name	Street Address City	Email or phone#	Signature
Chris Brentlinger	103 Rey Ct Santa Cruz		
Jenny Costello	103 Rey Ct Santa Cruz		
Dennis Claussen	105 Rey Ct Santa Cruz		
Steven Aldrich	107 Rey Ct S. Cruz		
Doug Mader	108 Rey Ct S.C		
TONYASKEW	20 ROSCH RD FRESNO, CA		
Angie Acellano	1504 San Andreas rd Wanda ville, CA 95076		
Lindsey Deave	1010 Amesti Rd Unit A CORRALITOS, CA 95076		
Jean Ann Grasse	692 39th ave Santa Cruz CA 95062		

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Print Name	Street Address City	Email or phone#	Signature
Louis [unclear]	6049 SATTVAUER, CA	BOBESP@AOL.COM	[Signature]
Al Doug Bennett	611 Beverly, Capitola	831-464-3628	[Signature]
Bill Silva	2130 17 th AVE S.C	805-605-8404	[Signature]
Ronald Meluso	22885 E. CLIFF DR SE.	831-206-3750	[Signature]
Lynda Paulsen	402 Bluegum Ave.	Lynda.Paulsen@yahoo.com	[Signature]
Allen Bushnell	3201 Sausbury S.C.	allenbushnell@yahoo.com	[Signature]
Maria Overton	11430 NAWAHO TR SU	831-229-8688	[Signature]
Joseph Pedotti	7476 Freedom Blvd Apt 831	(831) 688-8220	[Signature]
Bruce Abreo	10 Chocolate	831 7680772	[Signature]
CAROLINE N. ZIMMERMAN	3100 ECHO GLEN RD PRINCE	831 335-9579	[Signature]
Mark Ann	212 Terrace	415-828-4740	[Signature]
Michael Botts	3960 CARMEN ST.	831-252-9321	MB.
Doug Diebolt	336 Harrison Ave	454-9648	Doug Diebolt

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Print Name	Street Address City	Email or phone#	Signature
LAUREN MCNIGHT	16103 Redwood Ln Rd Los Gatos, CA 95033 (Sunnyvale)	layne4m@gmail.com	LAUREN MCNIGHT
Ron Brunner	312 W. MAIN ST	(408) 221-6595	Ron Brunner
Nancy Dilley	124 Vera Ave, Redwood City	650-246-2701	Nancy Dilley
Jim Setto	124 Vera Ave, Redwood City	415-371-2358	Jim Setto
Mike Setto	13186 Terrace Way, Redwood City	scott@ndc.com	Mike Setto
Frank Gentro	131st FIRMINGHAM ST, Redwood City	11 11	Frank Gentro
JEANINE CONFORTI	235 TOLKIN AVE SAN RAFAEL	650-864-1624	JEANINE CONFORTI
Bill Smith	P.O. Box 1216 720 Bounty, Foster City	650-789-3711	Bill Smith
CYNTHIA KYLE	7149 CRAWFORD ST. BENTON	916 361-3405	CYNTHIA KYLE
Craig Hedges	1212 Mills Ave, Redwood City	650-347-9130	Craig Hedges
Robert Warfield	1180 Old C St, Belmont	(408) 400-0698	Robert Warfield
MARCIA S. LENS	1608 Sunnyvale Ave, Redwood City	650-568-8981	MARCIA S. LENS




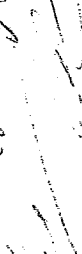

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Print Name	Street Address City	Email or phone#	Signature
CHARLES HUBBARDSTON	P.O. Box 496 Aptos, CA 95001	831-439-8054	Charles Hubbardston
Scott Mac Gillivray	890 38 th Ave SPC 19 Santa Cruz Cal.	831-345-4472	Scott Mac Gillivray
Douglas A Johnson	9540 Love Creek Rd. Ben Loma	3369962	Douglas A Johnson
Renee Gabriel	800 Brommer St #54 SC	831-227-9002	Renee Gabriel
Jim Furlan	3320 Julie Ln 95062	831-242-9648	Jim Furlan
DIANA DEACON	801 Riverview Dr 95010	831-462-3748	Diana Deacon
Corabelle Feaga	721 Bay St SC.	531-600-5489	Corabelle Feaga
Jeanne A. Heath	8305 Helen Rd Sunnyvale	408-245-9280	Jeanne A. Heath
Thomas Herzog	2630 Capitola Ave	Tomrule007@gmail.com	Thomas Herzog
Don OBeat	920 GRAMHAM WILLC S/C	831-466-5487	Don OBeat
Adam Furlan	1719 Summer Seabest	831-479-9594	Adam Furlan
Paula Parborough-Mander	345 Lucerne Ave. Watsonville	Paulamander1@gmail.com 831-295-2537	Paula Mander
Carla Gamba	4470 Soquel Dr.	234-3649	Carla Gamba

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Print Name	Street Address City	Email or phone#	Signature
LORRAYNO Galvan	911 38th Ave #3 Santa Cruz CA		
Tracy Jones	1770 42nd Avenue Capitola		
Marla Blum	1610 Bulb Avenue Santa Cruz, CA 95062		Marla H. Blum
Tim Povey	1575 Bulb Ave		
MARY MENDOZA	1425 Bulb Ave		Mary Mendoza
Graciela Regas	1425 Bulb Ave		Graciela Regas
Brandon Dummer	1366 Bulb Ave	Bur Fong 1.235 @ Yahoo	
Tom Ginsbule	102 N 17th St SCruz 95062		
Shelom Dresser Compost	106 Reyle SCruz 95062		Shelom Compost

RECEIVED

JAN 15 2013

CITY OF CAPITOLA

George Ow, Jr.
King's Plaza Shopping Center
1601 41st Avenue, Suite 202
Capitola, CA, 95010
831-475-9042 Capitola Office. 831-423-0128 Home Office. 831-426-5772 Fax.
GeorgeOwJr@aol.com

January 14, 2013

Sent via Email and Regular Mail.

Capitola City Council
420 Capitola Ave,
Capitola, CA 95010

RE: 1575 38th Avenue – Proposed Planned Development Rezoning, Conditional use Permit, and Design Permit

Dear City of Capitola Council Members:

I am resubmitting this letter to you in order to ensure that it is part of the public record for the Capitola City Council Meeting on January 24, 2013 at 7:00pm. My name is George Ow, Jr. and my family and I own King's Plaza Shopping Center, which is located directly across the street from 1575 38th Avenue, the site of the proposed planned development rezoning to construct a three story, 23-unit senior housing project in the existing neighborhood commercial zoning district. My parents built and operated King's Market grocery store (now OSH) on our property in 1963 and my family and I developed the second phase of King's Plaza shopping center in 1972. King's Plaza Shopping Center has been an extremely successful retail shopping center for 48 years. In order to successfully operate their businesses, the tenants of King's Plaza need the ability to load and unload products into their stores, have easily accessible trash enclosures, and maintain operating hours that can go late into the evening. I am concerned that if 1575 38th Avenue is rezoned to allow a 4-story senior housing complex to be developed, it will lead to problems that are inevitable when residential uses are placed within close proximity to commercial uses.

I will use what has transpired with the Best Western Hotel next to King's Plaza Shopping Center as an example of some of the problems that arise when people live and sleep within close proximity to commercial uses. The Best Western Hotel was built in 2000, over 28 years after the neighboring commercial building (that houses O'Reilly Autoparts, Save Mart, and Rite Aid) was constructed. After choosing to locate directly next to the garbage enclosures and loading docks of these businesses that have been operating for decades, the Best Western manager complained incessantly and tried to impose


limitations on the times when the businesses could load and unload their shipments of merchandise. This has not been good for the hotel owners or King's Plaza and its tenants. These problems could have been avoided if the Best Western would have chosen to locate elsewhere or changed the layout of its hotel or had well planned screening plants or further sound proofed their building. I want to protect against future problems like these arising with future residents of the proposed senior house project at 1575 38th Street.

It is important to keep zoning districts consistent because deviating from existing zoning districts can lead incompatible uses being located next to each other. If a four story senior housing project is built at 1575 38th Avenue, there is a high likelihood that the residents would object to looking at the back of the King's Plaza Shopping Center (the buildings that house Tony & Alba's, Palace Art Supply, OSH's garden department, and CineLux Theatres), the delivery hours of the tenants, the location of the garbage enclosures, and the noise that is associated with businesses at King's Plaza Shopping Center. Why create future problems?

If the Capitola City Council deems the rezoning of 1575 38th Ave appropriate, then it should make the applicant aware that it will be locating a housing complex next to an active commercial site that will often create noise in the early mornings and late at night. Moreover, I ask that you impose as a condition of approval, that a sound wall, sound proof rooms and very high shielding landscaping like tall bamboo be installed to provide a physical barrier between 1575 38th Avenue and King's Plaza Shopping Center. Lastly I would like the City Council to ensure that the construction of a senior housing complex at 1575 38th Ave will not cause any additional costs or have future limitations to be put on my family's land or our tenants' operations (such as limited loading hours, limited trash pickup hours, changing the location or style of the trash enclosures, etc).

Thank you very much for your consideration of my requests. As long as the City Council ensures that no limitations are ever put on any tenants of King's Plaza Shopping Center due to being located next to a senior housing complex and the applicant constructs its project in a manner so as to prevent its residents from being awakened or be any way bothered by operations at King's Plaza Shopping Center, my family and I are open to the idea.

Best Regards,

A handwritten signature in cursive script, appearing to read "George Ow, Jr.", written in dark ink.

George Ow, Jr.
Ow Family Trusts

Dear Mayor Harlan and Counsel members;

1/15/13

We hope that you will take notice and action, if it is possible, on an agenda item that is on the City Counsel's agenda Jan. 24th of this month. It is regarding the proposed building plan at 1575 38th Ave. It will be the 2nd time this proposal has come before the City Counsel. My husband and I have significant and multi-faceted concerns about this proposal and have attended all Planning Commission and the previous City Counsel meeting. Our home and property share a back fence along the west side of this property.

1. The proposed building is too tall in comparison to the existing homes surrounding it and will significantly/negatively impact our **privacy**, and access to morning sunshine. IF it is built to the proposed specification, the building will loom over our 1 story single family home like a giant spaceship or something. In addition there are water table issues, concerns with quiet/peacefulness, to a small degree air quality & property values. There are no other buildings on 38th Ave over 2-story high. We urge you to only issue approval for a two story building at this site. A two-story building is a good fit with surrounding structures, and can ameliorate the negative impact of this multi-unit residential building proposal on existing neighbors.
2. We would also like the set-back to be 20 feet, in keeping with reasonable set backs already in place.
3. Building schedule/times: If approved, please do not allow construction to start earlier than 9 am Mon-Fri and should end by 6 pm as the noise pollution may be going on for many months or the better part of a year. Also, not construction during the week ends please. We realize that a certain amount of air pollution will take place during construction and are not looking forward to this.
4. We have heard from John Leopold's office that the balconies from the back (Western facing wall) and that the South-Western Tower has been removed. We very much appreciate this! This is an awesome step towards maintaining some semblance of privacy for the homeowners to the west of this site as these are 1 story garden homes. We have not heard from Steve Thomas or Maureen Romac. But we hope that plans are developed to prevent others from being able to look directly into our home's windows from the 2nd or higher floors.
5. Careful planning must prevent any water run off issues to be created or cause any problems for neighbors due to the construction of this site. This must be addressed because the area used to be marsh land and the water table is very high as other neighbors will testify.
6. The redwood trees on the southern side will likely have root damage and crowded roots and die as a result of this building proposal as it currently is stated.

In closing, we cannot understand any enthusiasm one would have towards this project as only the rich will be able to afford a unit, per stated monthly/annual resident costs.

Sincere regards, Kim Frey 1530 Bulb Ave 831 462-2366

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