



AGENDA
CAPITOLA PLANNING COMMISSION
THURSDAY, JUNE 7, 2012
7:00 P.M. – JADE STREET COMMUNITY CENTER

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

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

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

B. Public Comments

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

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

C. Commission Comments

D. Staff Comments

3. APPROVAL OF MINUTES

A. May 3, 2012 Regular Planning Commission Meeting

4. CONSENT CALENDAR

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

A. 1565 LINCOLN AVENUE

#12-040

APN: 034-041-12

Design Permit to convert a duplex to a single-family residence and construct a second floor addition in the R-1 (Single-Family Residence) Zoning District.

Environmental Determination: Categorical Exemption

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

5. PUBLIC HEARINGS

Public Hearings are intended to provide an opportunity for public discussion of each item listed as a Public Hearing. The following procedure is as follows: 1) Staff Presentation; 2) Public Discussion; 3) Planning Commission Comments; 4) Close public portion of the Hearing; 5) Planning Commission Discussion; and 6) Decision.

A. 1100 41st AVENUE #12-057 APN: 034-101-21

Design Permit to construct a pergola structure and a Sign Permit to construct a new monument sign for an existing health club (In-Shape) in the CC (Community Commercial) Zoning District.

Environmental Determination: Categorical Exemption
Property Owner: 1100 41st Avenue LLC, filed: 4/10/12
Representative: In-Shape Health Clubs

B. 1200 41st AVENUE #12-058 APN: 034-101-38

Design Permit to establish a new storefront entrance and a Sign Permit for two wall signs for an existing health club (In-Shape) in the CC (Community Commercial) Zoning District.

Environmental Determination: Categorical Exemption
Property Owner: Begonia Plaza LLC, filed: 4/10/12
Representative: In-Shape Health Clubs

C. AMEND SIGN ORDINANCE 17.57 #12-017

The Planning Commission shall consider an amendment of the Capitola Municipal Code Section 17.57 to allow sidewalk signs (sandwich board/A-frame signs/pole signs) in the Central Village Zone Districts subject to a city permit. The proposed amendment will be for a one year trial period.

6. DIRECTOR'S REPORT

7. COMMISSION COMMUNICATIONS

8. ADJOURNMENT

Adjourn to a Regular Meeting of the Planning Commission to be held on Thursday, July 5, 2012 at 7:00 p.m., 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



**DRAFT MINUTES
CAPITOLA PLANNING COMMISSION MEETING
THURSDAY, MAY 3, 2012
7:00 P.M. – CITY HALL COUNCIL CHAMBERS**

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

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

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

2. ORAL COMMUNICATIONS

- A. Additions and Deletions to Agenda - NONE
- B. Public Comments - NONE
- C. Commission Comments - NONE
- D. Staff Comments - NONE

3. APPROVAL OF MINUTES

- A. April 19, 2012 Regular Planning Commission Meeting

A MOTION WAS MADE BY COMMISSIONER NEWMAN AND SECONDED BY COMMISSIONER ORTIZ TO APPROVE THE APRIL 19, 2012 MEETING MINUTES, WITH CHANGES.

Chairperson Graves represented the clarifications requested by Commissioner Smith: Page 5, third paragraph: "Commissioner Smith clarified that the fence design is not a main consideration in this application for meeting or tying into the historic standards. She stated that the mission style fence proposed does not maintain the historic style as of the residence, and she was concerned. She stated that staff could approve the portion of fencing along the Oakland Avenue frontage, but not the fencing along the Escalona Avenue frontage."

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

4. CONSENT CALENDAR

- A. **1565 LINCOLN AVENUE** #12-040 APN: 034-041-12

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

Commissioner Routh removed Item 4.A from the Consent Agenda. He stated that the staff report, agenda and public advertising represent the project as a single-family residence. However, the plans presented before the Commission show two kitchens, and two units. He recommended that the item be thoroughly reviewed by staff and continued to the June 7, 2012 meeting with new public advertising.

Interim Community Development Director Westman stated that staff will review the project and re-advertise for correct development application.

A MOTION WAS MADE BY COMMISSIONER ROUTH AND SECONDED BY COMMISSIONER ORTIZ TO CONTINUE PROJECT APPLICATION #12-040 TO THE JUNE 7, 2012 MEETING.

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

B. 209 CAPITOLA AVENUE #12-049 APN: 035-231-08

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

Environmental Determination: Categorical Exemption

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

A MOTION WAS MADE BY COMMISSIONER ORTIZ AND SECONDED BY COMMISSIONER NEWMAN TO APPROVE PROJECT APPLICATION #12-049 WITH THE FOLLOWING CONDITIONS AND FINDINGS:

CONDITIONS

1. The project approval consists of a sign permit for a new projecting sign for *The Craft Gallery* retail store located at 209 Capitola Avenue.
2. The projecting sign must maintain an overhead clearance of at least eight (8) feet.
3. The applicant must obtain an encroachment permit from the Public Works Department for the sign prior to installation, since it projects over the public sidewalk.
4. If minor modifications to the signs are desired by the applicant (i.e. lettering, materials, colors, illumination, etc.), the changes may be approved by the Community Development Department. Any significant changes shall require Planning Commission approval.
5. The applicant shall obtain a building permit for the sign prior to installation.
6. Prior to building permit sign off, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Zoning Administrator or Community Development Director.

FINDINGS

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

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

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

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

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

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

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

5. PUBLIC HEARINGS

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

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

Environmental Determination: Categorical Exemption

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

Representative: Thacher & Thompson

Senior Planner Bane presented the staff report.

The public hearing was opened.

Matthew Thompson, architect and representative for the applicant, spoke in support of the application.

Commissioner Newman and Chairperson Graves clarified that the vestibule design does not create additional rentable space.

Commissioner Ortiz complimented the design, and clarified the proposed signage for the building.

Matt Thompson, stated that the existing three signs to be removed and the main directory sign will remain.

Commissioner Routh stated that the proposal makes better design sense for the building and tenants.

The public hearing was closed.

A MOTION WAS MADE BY COMMISSIONER ORTIZ AND SECONDED BY COMMISSIONER ROUTH TO APPROVE PROJECT APPLICATION #12-036 WITH THE FOLLOWING CONDITIONS AND FINDINGS:

CONDITIONS

1. The project approval consists of a Design Permit to enclose a vestibule at an existing covered entry for the Mercantile Building at 115-Q San Jose Avenue.
2. If any upgrades or modifications to the design are desired by the applicant (i.e., materials, colors, etc.), the changes may be approved by the Community Development Department. Any significant changes may require Planning Commission approval.
3. The awnings shall be replaced when they show signs of deterioration, as determined by the Community Development Department.
4. The application shall be reviewed by the Planning Commission upon evidence of non-compliance with conditions of approval or applicable municipal code provisions.
5. Prior to granting of final occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Zoning Administrator or Community Development Director.

FINDINGS

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

Community Development Department Staff, the Architectural and Site Review Committee and the Planning Commission have reviewed the application, which consists of the enclosure of a vestibule. The project is consistent with the development standards in the CV (Central Village) Zoning District and compliant with the Central Village Design Guidelines. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance and General Plan.

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

Community Development Department Staff, the Architectural and Site Review Committee and the Planning Commission have all reviewed the project and determined that the project complies with the Central Village Design Guidelines, which were developed to ensure projects maintain the character and integrity of this area of the City.

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

The proposed project involves the enclosure of a vestibule for an existing commercial use with no significant expansion of use beyond what has currently existed. No adverse environmental impacts were discovered during project review by either the Community Development Department Staff or the Planning Commission.

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

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

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

Environmental Determination: Categorical Exemption

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

Representative: Dennis Norton

Senior Planner Bane presented the staff report.

Commissioner Newman stated that the proposed addition meets the current development standards, but the existing home is non-conforming.

The public hearing was opened.

Terry David, property owner, spoke in support of the application. He requested that condition #5 be eliminated, as undergrounding the utilities is very expensive and the existing pole is directly adjacent to the property.

The public hearing was closed.

Senior Planner Bane stated the code requires utilities be placed underground if a project adds more than 25% floor area. He suggested that the Commission maintain condition #5, but if the applicant finds an excessive hardship with the underground project, then he can come back to staff for direction.

Commissioner Newman stated that the community goal is to remove as many poles as possible, and did not support removing condition #5. Commissioner Ortiz and Routh supported Commissioner Newman's statement.

A MOTION WAS MADE BY COMMISSIONER ORTIZ AND SECONDED BY COMMISSIONER ROUTH TO APPROVE PROJECT APPLICATION #12-039 WITH THE FOLLOWING CONDITIONS AND FINDINGS:

CONDITIONS

1. The project approval consists of the construction of a 583 square foot attached garage to a single-story single-family residence at 712 Capitola Avenue.
2. Any significant modifications to the size or exterior appearance of the structure must be approved by the Planning Commission.
3. The application shall be reviewed by the Planning Commission upon evidence of non-compliance with conditions of approval or applicable municipal code provisions.
4. Hours of construction shall be Monday to Friday 7:30AM – 9:00PM, and Saturday 9:00AM – 4:00PM, per city ordinance.
5. The utilities shall be underground to the nearest utility pole in accordance with PG&E and Public Works Department requirements. A note shall be placed on the final building plans indicating this requirement.
6. An encroachment permit shall be acquired for any work performed in the right-of-way.

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

FINDINGS

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

Community Development Department Staff, the Architectural and Site Review Committee, and the Planning Commission have reviewed the project. The project conforms to the development standards of the CN (Neighborhood Commercial) Zoning District, and carry out the objectives of the Zoning Ordinance, General Plan and Local Coastal Plan.

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

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

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

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

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

C. AMEND SIGN ORDINANCE 17.57

#12-017

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

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

6. DIRECTOR'S REPORT

Interim Community Development Director Westman announced the General Plan Workshop #4 regarding Pacific Cove will be held on Saturday, May 12th from 9:30 a.m. to 12:30 p.m. at the Jade Street Community Center.

There have been three appeals filed: 700 Escalona Drive, 115 San Jose Avenue and 220 Oakland Avenue.

7. COMMISSION COMMUNICATIONS

Commissioner Newman commented that a development project in the 700 block of Riverview Drive is an example of how the non-conforming ordinance works to the benefit of the applicant as shown by the minimal existing walls remaining.

Chairperson Grave requested an update of the status of the property at 410 Bay Avenue.

8. ADJOURNMENT

The Planning Commission adjourned the meeting at 7:35 p.m. to a Regular Meeting of the Planning Commission to be held on Thursday, June 7, 2012 at 7:00 p.m., at the Capitola Community Center, 4400 Jade Street, Capitola, California.

Approved by the Planning Commission on June 7, 2012

Danielle Uharriet, Minute Clerk



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: JUNE 7, 2012

SUBJECT: **1565 LINCOLN AVENUE** **#12-040** **APN: 034-041-12**

Design Permit to convert a duplex to a single-family residence and construct a second floor addition in the R-1 (Single-Family Residence) Zoning District.

Environmental Determination: Categorical Exemption

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

APPLICANT'S PROPOSAL

The applicant is proposing to convert an existing duplex into a single-family residence as well as construct a 240 square foot second floor addition at 1565 Lincoln Avenue in the R-1 (Single Family Residence) zoning district. The use is consistent with the General Plan, Zoning Ordinance and Local Coastal Plan.

<u>STRUCTURAL DATA</u>					
<u>SETBACKS</u>		Required	Existing	Proposed	
Front Yard					
	Driveway	20'	16'	16'	
	1 st Story	15'	16'	16'	
	2 nd Story	20'	38'-6"	28'-6"	
Rear Yard					
	1 st Story	16'	10'	10'	
	2 nd Story	16'	10'	10'	
Side Yard					
	1 st Story	4' (l) & (r)	4' (l) & 11' (r)	4' (l) & 11' (r)	
	2 nd Story	6' (l) & (r)	4' (l) & 11' (r)	4' (l) & 11' (r)	
<u>HEIGHT</u>		25'	23'	23'	
<u>FLOOR AREA RATIO</u>		Lot Size	MAX (57%)	Existing (79%)	Proposed (79%)
		3,200 sq. ft	1,824 sq. ft.	2,526 sq. ft	2,526 sq. ft.
		Habitable Space	Second Floor Deck	Garage	Total
Existing First Story		977 sq. ft.	n/a	205 sq. ft.	1,182 sq. ft.
Existing Second Story		804 sq. ft.	540 sq. ft.	n/a	1,344 sq. ft.
Existing TOTAL		1,781 sq. ft.	540 sq. ft.	205 sq. ft.	2,526 sq. ft.

	Habitable Space	Second Floor Deck	Garage	Total
Proposed First Story	977 sq. ft.	n/a	205 sq. ft.	1,182 sq. ft.
Proposed Second Story	1,044 sq. ft.	300 sq. ft.	n/a	1,344 sq. ft.
Proposed TOTAL	2,021 sq. ft.	300 sq. ft.	205 sq. ft.	2,526 sq. ft.
PARKING				
	Required	Existing	Proposed	
	3 spaces, one of which must be covered	1 covered space 2 uncovered	1 covered space 2 uncovered	
Total	3 spaces	3 spaces	3 spaces	

BACKGROUND

The item was last heard at the May 3, 2012 Planning Commission meeting where it was pointed out by the Commission that the floor plans represented the existing structure to be a duplex as opposed to a single-family residence as was presented in the staff report. The item was continued to the June 7, 2012 Planning Commission meeting to allow staff to make corrections.

Staff has clarified that the structure is a legal nonconforming duplex. The applicant has requested approval to convert the duplex to a single-family house, bringing the use into conformity with the R-1 (single-family residential) zoning district. Conversion will be accomplished by removing the first floor kitchen. An internal stairway already exists which connects the first and second floors of the structure.

DISCUSSION

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

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

Per Zoning Code Section 17.15.035(B)(2), the Planning Commission is authorized to approve design permit applications for upper floor additions. The upper floor addition in this case will be the enclosure of the covered 240 square feet that opens on to the existing second floor deck. While the home currently exceeds the allowed FAR, the enclosure of the covered area does not increase the FAR, as the second floor deck already counts toward the overall FAR calculation.

Parking

The existing structure is currently nonconforming to parking. A duplex requires two parking spaces for each unit, with at least one space covered per unit. This would require the existing duplex to provide two garage spaces and two uncovered spaces for a total of four off-street spaces. Providing one garage space, with the driveway being too shallow to meet the standard parking space dimensions of 9’x18’, the off-street parking requirement is not currently being met.

With the conversion of the structure to a single-family residence, the Zoning Code requires that single-family residential units between 2,000 and 2,600 square feet provide a minimum of three parking spaces, one of which must be covered. While the one garage space is provided, the two driveway spaces do not technically meet the standard parking space dimensions of 9'x18'. This is because while the useable driveway is 27' in length, only 16' is technically on private property, with 11' being part of the city right-of-way.

Per Zoning Code Section 17.51.135(B), "If the (residential) structure is enlarged by more than ten percent of the existing gross floor area, parking requirements must be met". With the proposed addition being greater than ten percent, a minimum of three parking spaces, one of which must be covered, is to be provided. Section 17.51.180(B) states that "Parking spaces of less dimensions may be allowed if specifically authorized by the planning commission in an architectural and site approval. The smaller spaces shall be designed to accommodate compact automobiles." A compact space has a dimension of 8'x16'; therefore the two spaces between the property line and garage can accommodate compact automobiles. Staff can support this, as the combined 27' length and single garage space adequately provide enough space to meet the parking requirements.

Nonconforming

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

RECOMMENDATION

The application eliminates a nonconforming duplex and brings the use into conformity with the underlying R-1 (Single-Family Residence) zoning district. Staff recommends the Planning Commission **approve** application #12-040, subject to the following conditions and findings:

CONDITIONS

1. The project approval consists of the conversion of an existing duplex into a single-family residence as well as construction of a 240 square foot second floor addition at 1565 Lincoln Avenue.
2. Any significant modifications to the size or exterior appearance of the structure must be approved by the Planning Commission.
3. The application shall be reviewed by the Planning Commission upon evidence of non-compliance with conditions of approval or applicable municipal code provisions.
4. Construction hours shall be limited to Monday through Friday 7:30 a.m. to 9:00 p.m., Saturday 9:00 a.m. to 4:00 p.m., and prohibited on Sundays.
5. Prior to granting of final occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Zoning Administrator or Community Development Director.

FINDINGS

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

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

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

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

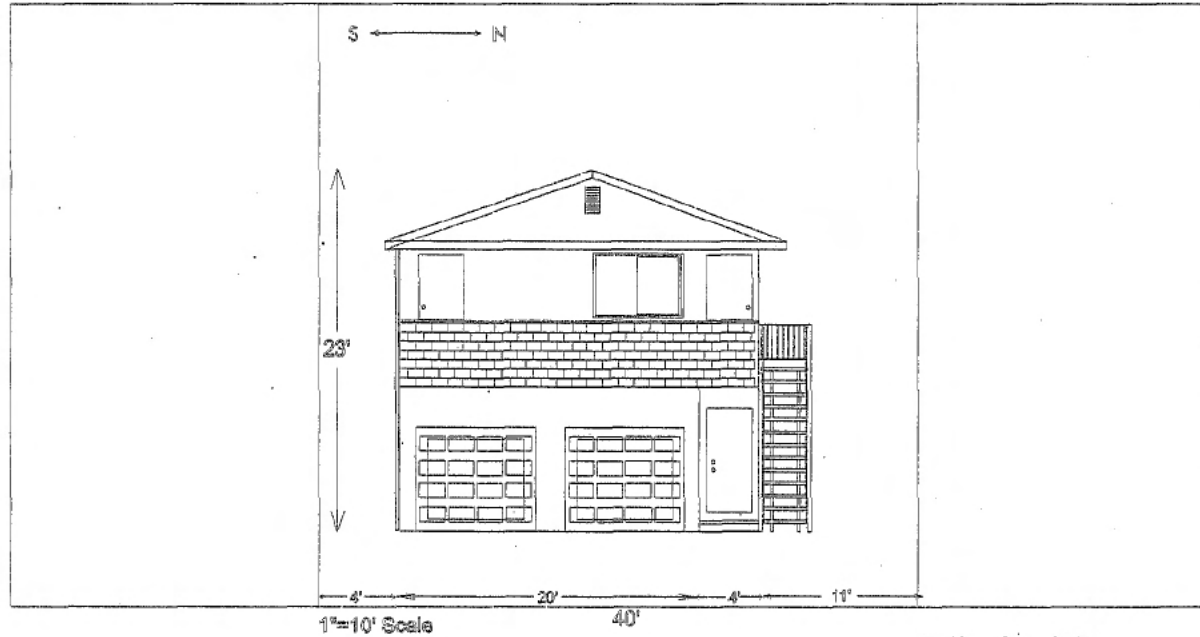
- C. **This project is categorically exempt under Section 15301(e)(2) of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.**

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

ATTACHMENTS

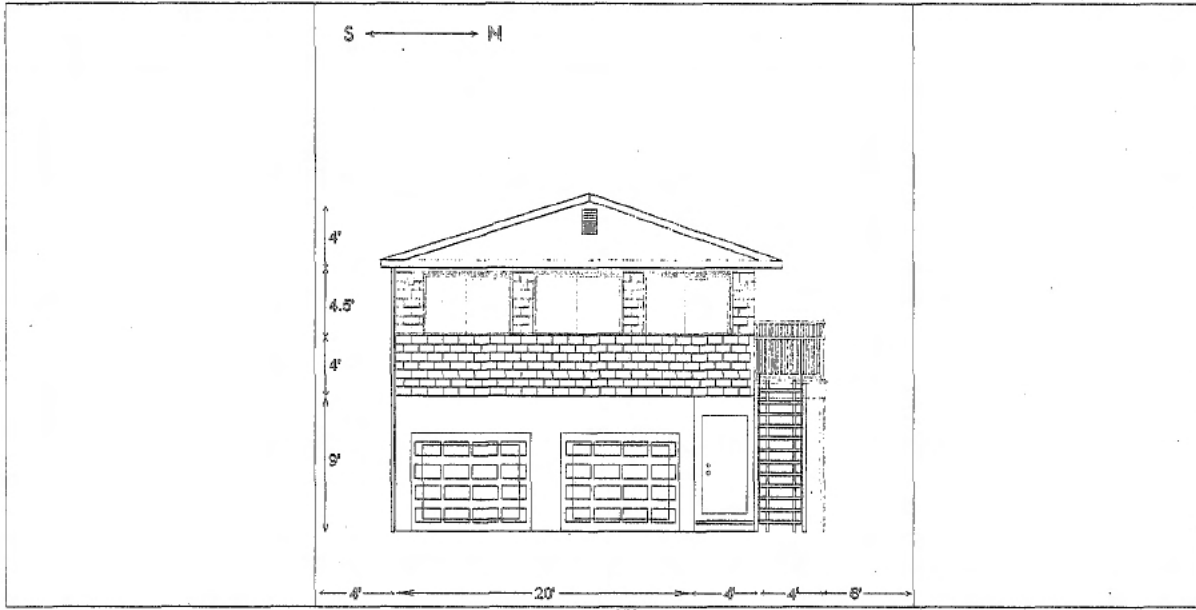
- A. Project Plans
- B. Construction Cost Breakdown

Report Prepared By: Ryan Bane
Senior Planner



FRONT
ELEVATION
CURRENT

Plans by homeowner
John Gianopoulos
1585 Lincoln Avenue

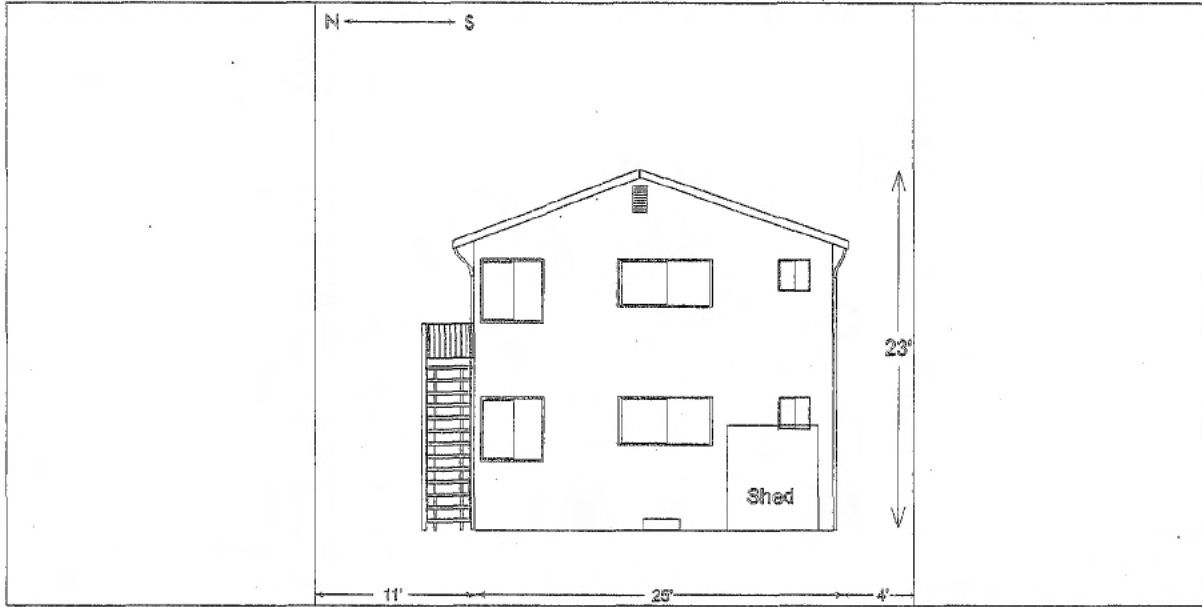


1"=10' Scale

40'

FRONT ELEVATION PROPOSED

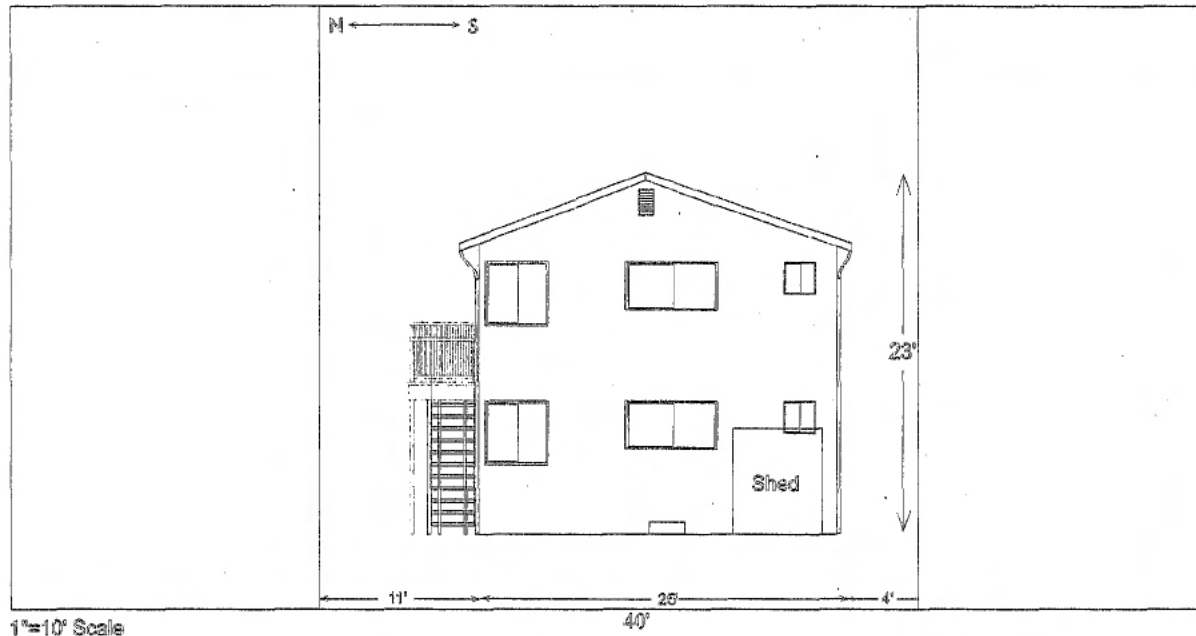
Plans by homeowner
John Gianopoulos
1585 Lincoln Avenue



1"=10' Scale

REAR ELEVATION CURRENT

Plans by homeowner
John Gianopoulos
1565 Lincoln Avenue



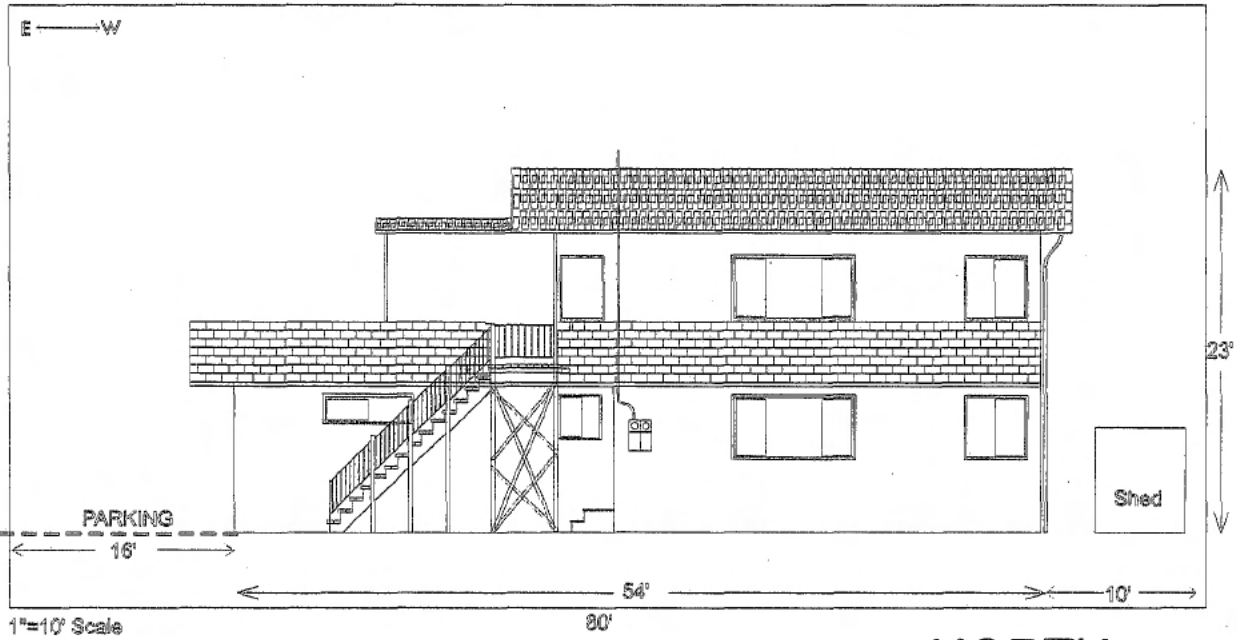
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REAR ELEVATION PROPOSED

Plans by homeowner
John Giannopoulos
1565 Lincoln Avenue

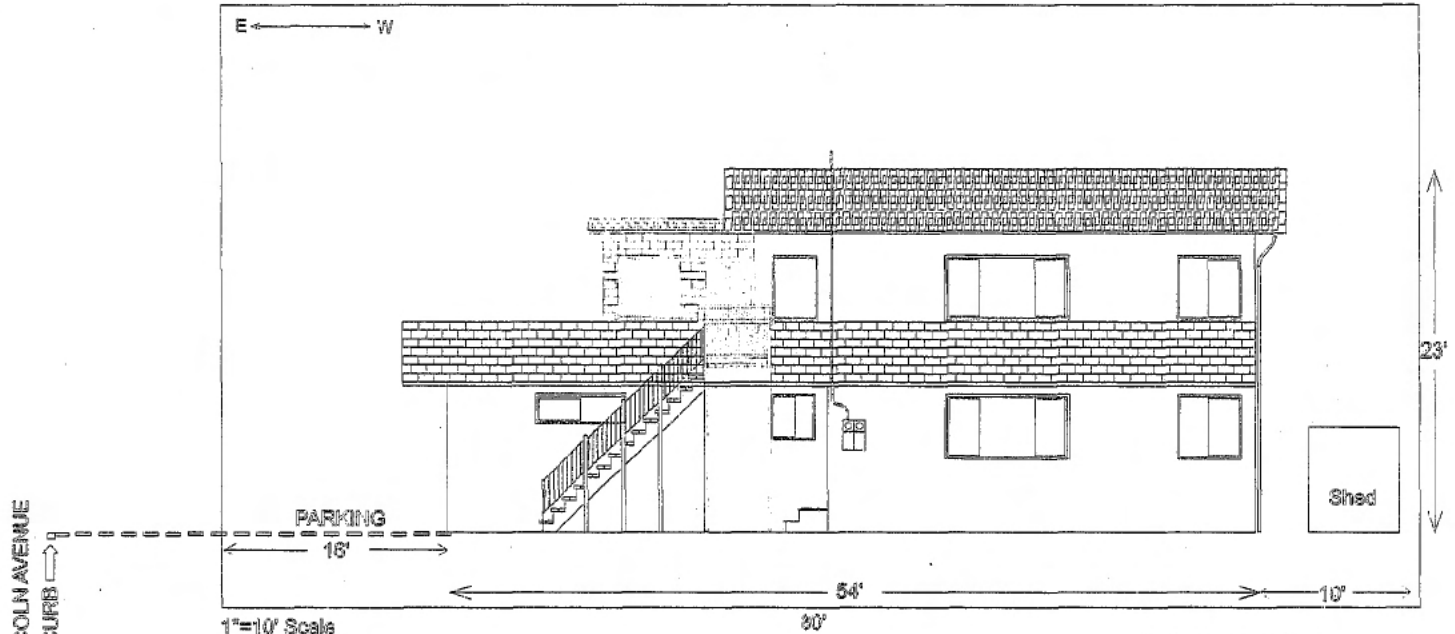
Site Blotter

LINCOLN AVENUE
CURB



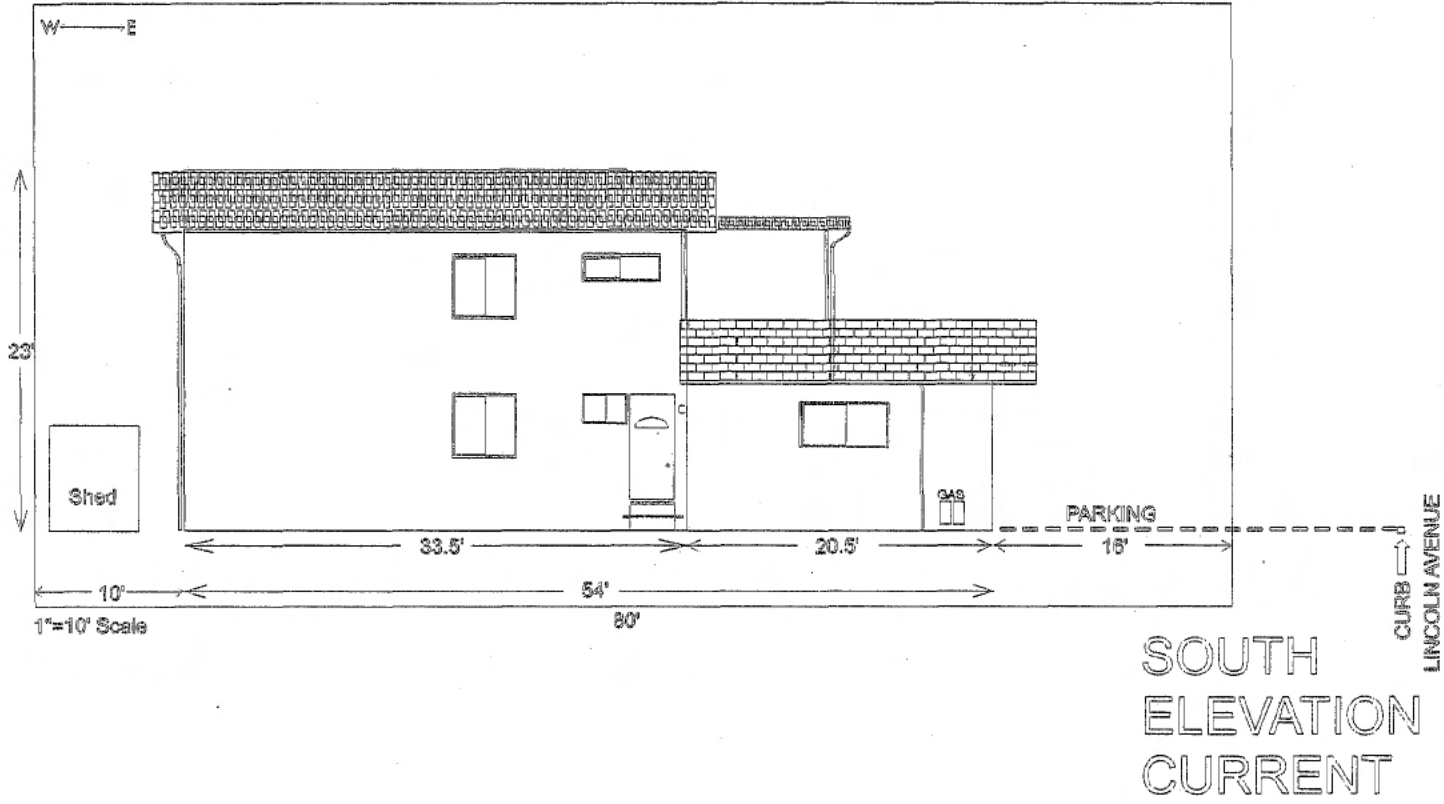
NORTH ELEVATION CURRENT

Plans by homeowner
John Gianopoulos
1565 Lincoln Avenue

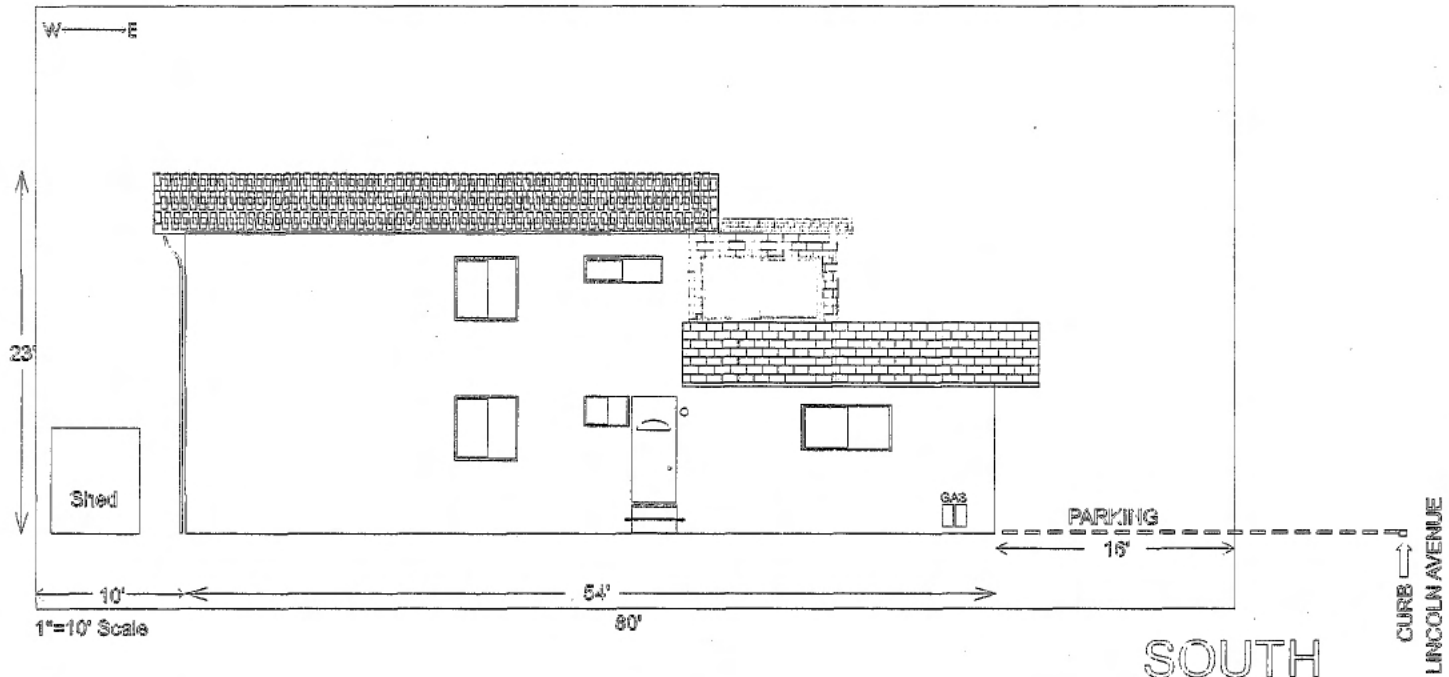


NORTH
 ELEVATION
 PROPOSED

Plans by homeowner
 John Gianopoulos
 1585 Lincoln Avenue



Plans by homeowner
John Gianopoulos
1565 Lincoln Avenue



SOUTH ELEVATION PROPOSED

Plans by homeowner
John Gianopoulos
1555 Lincoln Avenue

1565 Lincoln Avenue

Existing Residence	1,781 square feet	
	@ \$150.00 per square foot =	\$ 267,150.00
Existing Garage	205 square feet	
	@ \$90.00 per square foot	\$38,450.00
Existing Deck	540 square feet	
	@ \$25.00 per square foot	<u>\$13,500.00</u>
	Total Fair Market Value	\$299,100.00
	*80 % of Existing Value	\$ 239,280.00
Proposed Upper Floor Addition	240 square feet	
	@ \$ 200.00 a Square Foot	\$ 48,000.00
New stairs and landing		<u>\$ 5,000.00</u>
Total Cost of improvements		\$53,000.00



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: JUNE 7, 2012

SUBJECT: **1100 41st AVENUE #12-057 APN: 034-101-21**
Design Permit to construct a pergola structure and a Sign Permit to construct a new monument sign for an existing health club (*In-Shape*) in the CC (Community Commercial) Zoning District.
Environmental Determination: Categorical Exemption
Property Owner: 1100 41st Avenue LLC, filed: 4/10/12
Representative: In-Shape Health Clubs

APPLICANT'S PROPOSAL

The applicant is requesting a Design Permit to construct a new pergola and pedestrian crosswalk to connect the main club to a new entry at the neighboring annex building. In addition, they are requesting a Sign Permit to replace the existing wall sign with a new monument sign along the 41st Avenue frontage. As part of the new monument sign, an adjacent sycamore tree is proposed to be removed. The parcel is located in the CC (Community Commercial) zoning district, and the existing health club is currently permitted under an approved Conditional Use Permit.

ARCHITECTURAL AND SITE REVIEW COMMITTEE

On May 9, 2012, the Architectural and Site Review Committee reviewed the application.

- City Landscape Architect Susan Suddjian questioned what trees were proposed for removal and requested that replacement trees be shown on the plans. She also suggested adding some type of climbing vine for the pergola.
- City Architect Derek Van Alstine suggested improving the plans by including a vicinity map, using correct scales, calling out materials, and providing more detail.
- Building Inspector Brian Van Son explained that an ADA compliant path of travel would be required to connect the two buildings. It was explained that this would involve incorporating an access ramp.
- Senior Planner Bane requested that the specialty paving for the new walkway be identified and inquired as to if the new monument sign would have exterior lighting.

DISCUSSION

In-Shape acquired the two fitness operations formerly known as *Spa Fitness* located in both the main club at 1100 41st Avenue and in an annex at 1200 41st Avenue in the Begonia Plaza. The new walkway and pergola is being proposed to better unify the two adjacent spaces, improving circulation and utilization for club members. A better connection between the two buildings should also

encourage patrons of the annex to use the parking garage, helping to free up spaces in the Begonia Plaza parking lot.

The pedestrian walkway will be located approximately 11' in front of the entrance to the parking garage, and will be clearly defined through use of a stamped concrete surface as well as the overhanging pergola. The pergola is proposed to have an 11'-4" height and will extend across the main driveway approximately 25'. It will consist of metal horizontal members supported by two sets of stucco columns on each end. The entire structure will be painted an off-white color, and lighting will be added for functional as well as aesthetic purposes.

The walkway is proposed to lead to the rear of the annex building where a new rear entrance is being proposed. The new entrance will be accessed by both a set of stairs as well as an ADA compliant ramp. The stairs and ramp will be located in a landscape strip, requiring the removal of existing landscaping and three smaller trees. A landscape plan has been submitted which incorporates new landscaping within the project area, and includes three replacement trees. Replacement trees are not required to be planted on a 2:1 ratio in this case as the three trees proposed for removal are under the minimum six-inch diameter measured at forty-eight inches above existing grade per the tree ordinance definition.

Monument Sign

The applicant is proposing a new monument sign to replace the previous *Spa Fitness* wall sign. The sign is being proposed in the landscape area fronting 41st Avenue, adjacent to the pedestrian access to the club. While the lawn area will remain around the sign, the applicant is proposing to remove the existing tree that is currently located there. No replacement trees have been presented on the plans, but a condition has been added that requires two replacement trees be planted along the 41st Avenue frontage.

The box type sign will be covered in blue tiles, with the In-Shape logo and address numbers pegged-out 1" from the surface. The logos will consist of 1/2" aluminum backed panels powder coated white. The 14 square foot sign (4' x 3'-5") falls within the maximum 60 square feet permitted in the CC zoning. The sign is proposed to be externally lit with up-lighting on either side.

The Sign Ordinance requires that the height of a monument sign be no greater than four (4) feet when the subject building is closer than 25' from the front property line. The existing building sits at approximately 20' from the property line; therefore the sign is to meet the 4' requirement. As currently proposed, the sign is 4', but sits on a 4" base pad. When determining the height, the code states that "The height shall be determined as measured from the sidewalk or as assessed by the community development director." With the landscaping having a slight slope up from the sidewalk, the sign as proposed will be greater than 4' above the sidewalk grade. However, due to the mass and size of the subject building, a 4" base will likely help the sign to be more in scale with the building. It is recommended that the sign be approved with a maximum overall 4' height from the grade of the existing lawn area. A condition of approval expressing this requirement has been included.

RECOMMENDATION

Staff recommends that the Planning Commission **approve** project application #12-057, subject to the following conditions and based on the following findings:

CONDITIONS

1. The project approval consists of a Design Permit to construct a new pergola and pedestrian crosswalk in addition to a Sign Permit to replace the existing wall sign with a new monument sign at 1100 41st Avenue.
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. The final landscape plan submitted with the building permit application shall include the specific number of plants of each type and their size, as well as the irrigation system to be utilized.
4. A minimum of two replacement trees shall be planted along the 41st Avenue frontage.
5. The monument sign shall have a maximum overall height of 4' as measured from the existing grade of the lawn area where it is proposed.
6. The application shall be reviewed by the Planning Commission upon evidence of non-compliance with conditions of approval or applicable municipal code provisions.
7. Prior to building permit sign off, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Zoning Administrator or Community Development Director.

FINDINGS

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

Community Development Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project conforms with the development standards of the CC (Community Commercial) Zoning District and the 41st Avenue Design Guidelines. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance and General Plan.

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

Community Development Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project conforms with the development standards of the CC (Community Commercial) Zoning District and the 41st Avenue Design Guidelines. 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(c) and 15311(a) of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.

Section 15303(c) of the CEQA Guidelines exempts construction of small facilities or structures not involving the use of significant amounts of hazardous substances, and not exceeding 2,500 square feet in floor area if the project is in an area where all public facilities are available to allow for the development and the project is not located in an environmentally sensitive area. Section 15311(a) exempts on-premise signs appurtenant to existing commercial facilities. This project

involves construction of a new pergola, pedestrian walkway, and monument sign within an urban area. No adverse environmental impacts were discovered during review of the proposed project

ATTACHMENTS

- A. Project Plans
- B. Sign Plans
- C. Project description letter from the applicant
- D. Renderings

Report Prepared By: Ryan Bane
Senior Planner

1100 41ST AVENUE APN: 034-101-21

CAPITOLA

CALIFORNIA

REVISION

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ARCHITECTURE



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FRANK G. SMITH
COSTYL SMITH
KIMBERLY L. ALONSO
ARCHITECTS

1100 41st AVENUE
APN: 034-101-21

COVER SHEET

ATTACHMENT A

DATE: MAY 2011
JOB NO.: 11-04-03
DRAWN: D. BISHOP
CHECKED: K. ALONSO
SHEET:

PROJECT DATA

PROJECT:
THE PROJECT CONSISTS OF A NEW MIDCOSTA, MIDDLEBROOK, INSURANCE AND BUSINESS CENTER.

LOCATION:
1100 41ST AVENUE
CAPITOLA, CA 95010
APN: 034-101-21

PROJECT TEAM

OWNER:
MIDCOSTA REALTY GROUP, INC.
4301 N. EDWARDS STREET
SACRAMENTO, CA 95829
TEL: 916.424.3333
CONTACT: JAMARA HIGDON
EMAIL: JAMARA@MIDCOSTA.COM

ARCHITECT:
API ARCHITECTURE PLUS INC.
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TEL: 209.577.8661
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CONTACT: TONY ALONSO
EMAIL: TONY@APIORG.COM

CONTRACTOR:
SMITH CONSTRUCTION
4177 BRYAN LANE, SUITE 2
SACRAMENTO, CA 95834
TEL: 916.464.9111
FAX: 916.464.9112
CONTACT: FOR MORE
EMAIL: INFORMATION@SMITHCON.COM

STRUCTURAL:
MCKAY ENGINEERING
1504 F STREET, WESTCOST, CA 95244
TEL: 209.573.4655
FAX: 209.573.4654
CONTACT: ANDREW MCKAY
EMAIL: ANDREW@MCKAYENR.COM

LANDSCAPE:
ELA LANDSCAPE ARCHITECTS
301 N. HIGHLAND
SACRAMENTO, CA 95811
TEL: 209.533.2884
FAX: 209.533.2333
CONTACT: TONY HOLLOWAY

VICINITY MAP



BUILDING/PARCEL OVERVIEW - Subject properties/building noted with *

- Building A: 1220 41st Avenue *
- Building B: 1210 41st Avenue *
- Building C: 1200 41st Avenue *
- Building D: Parking garage - 1100 41st Avenue *
- Building E: 1100 41st Avenue *

SHEET INDEX

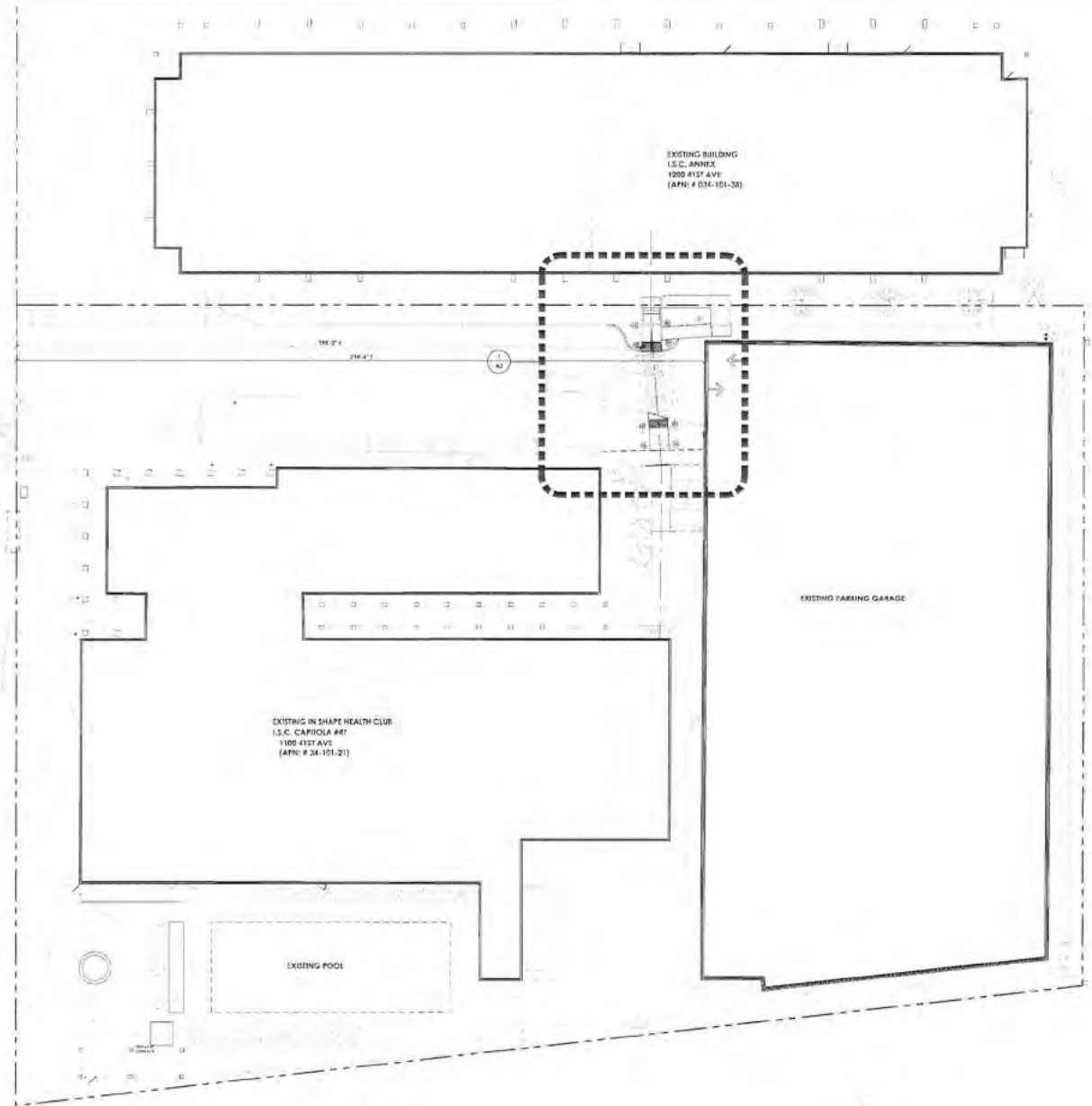
ARCHITECTURAL

- A0 COVER SHEET
- A1 SITE PLAN
- A2 ENLARGED SITE PLAN
- A3 EXTERIOR ELEVATIONS / SCREENS
- A00 DETAILS

LANDSCAPE

- L0 LANDSCAPE PLAN

1100 AVENUE



1 OVERALL SITE PLAN
SCALE: 1/8" = 1'-0"



NORTH

REVISED

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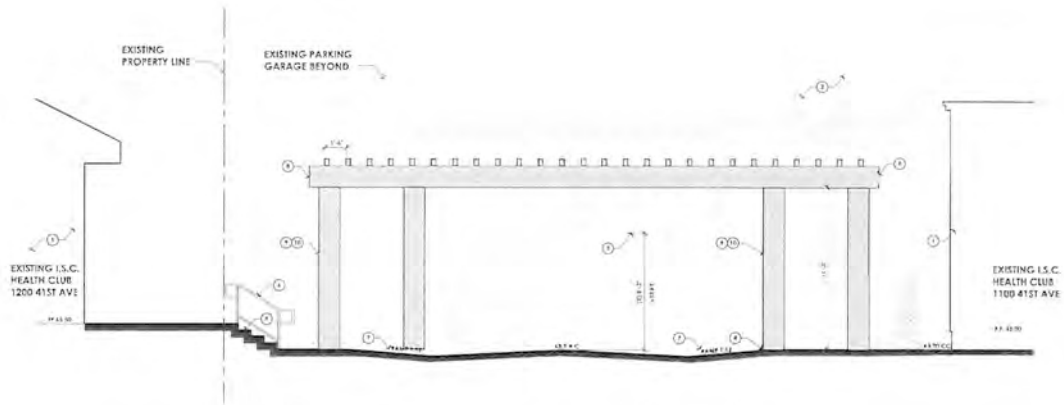
NAME: C. JONES
DATE: 05/11/2011
PROJECT: 1100 AVENUE
ARCH: 1100-11

1100 41st AVENUE
APN: 034-101-21
CALIFORNIA

OVERALL SITE PLAN

DATE:	MAY 2011
JOB NO.:	1100-11
DRAWN:	D. TORRES
CHECKED:	F. ALONZO
SHEET:	

A1



3 PROPOSED WEST PERGOLA ELEVATION 1100 41ST AVE (APN: # 034-101-21)
SCALE: 1/4" = 1'-0"

- EXTERIOR ELEVATION KEYNOTES:**
1. EXISTING BUILDING ELEVATION
 2. EXISTING EXTERIOR GARAGE BEYOND (SEE MECHANICAL DRAWING)
 3. EXISTING EXTERIOR GARAGE BEYOND (SEE MECHANICAL DRAWING)
 4. CONCRETE WALLS, FLOOR AND CEILING - FINISH AS SHOWN ON EXISTING DRAWINGS
 5. NEW CONCRETE FLOOR - SEE DETAIL 1001
 6. FINISH EXTERIOR AS SHOWN - EXTERIOR FINISHES: SEE DETAIL 1001
 7. LOCATION OF PERGOLA: SEE MECHANICAL DRAWING
 8. FINISH EXTERIOR FINISHES - SEE MECHANICAL DRAWING
 9. FINISH EXTERIOR FINISHES - SEE MECHANICAL DRAWING
 10. EXTERIOR FINISHES - SEE MECHANICAL DRAWING

FINISHES:

SEE MECHANICAL DRAWING FOR FINISHES

NOTES:

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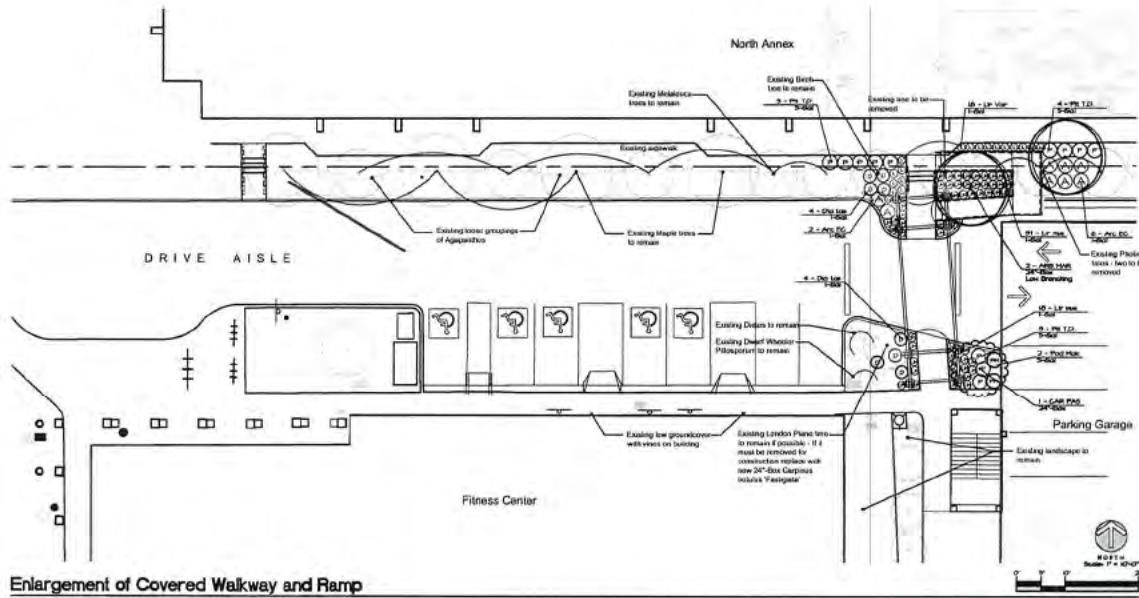
10044 C 4020
K0011 L0010
R0007 P 000000
S 4.0.0 11.0.11

1100 41st AVENUE
APN: 034-101-21

EXTERIOR ELEVATIONS

DATE:	MAY 2012
JOB NO:	11-041-03
DRAWN:	D. BERRY
CHECKED:	K. ALONSO
DATE:	

A3



Enlargement of Covered Walkway and Ramp

Landscape Concept

The landscape design concept for the addition of the covered walkway from the North Annex to the garage and south building is to create an enjoyable and meaningful space for the landscape that fits within the landscape framework of the existing facility. Plant material has been selected that performs well in the specific conditions of Columbia (USDA Zone 8B).

The landscape area is limited to the specific areas being impacted by the new facility. To the greatest extent the existing trees, shrubs, and groundcover will remain as they are. New trees are proposed to replace small ornamental trees removed for the new walkways at a ratio of 1 to 1. No large or heritage trees are proposed for removal.

Special considerations have been provided in selection of plant material that respects the needs of the facility and its members. Clear and secure view corridors have been provided to insure safety of the members entering the building and crossing the drive aisle.

Irrigation

The existing irrigation system within the impacted area will be retained per the new landscape concept. Sprinkler heads and lateral lines are to be removed, installed, and reduced as needed to ensure full coverage of the landscape areas with minimal flow emergency until the landscape. The existing irrigation service, backflow preventer, controller, etc. shall remain as is.

Preliminary Plant Palette

Tree	Scientific Name	Common Name	Quantity	Tree Size	Height
ARB MAR	Arbutus 'Marion'	Arbutus	2	24" Dia	Low
CAF PAL	Carpinus betulus 'Fastigiata'	hinokidomoe	1	34" Dia	Medium
SHRUB					
AR. EC	Artemisia 'Emerald Carpet'	Emerald Carpet Yarrow	4	1-Gal	Low
DE. BA	Diarrhea bartramia	Flax Lily	5	1-Gal	Medium
LI. ME	Limonium meianthemum	Big Blue Lin. Turf	10	1-Gal	Medium
LI. TU	Limonium meianthemum 'Turquoise'	Big Blue Lin. Turf	18	1-Gal	Medium
PH. TD	Phlox paniculata 'Turner's Variegated Dwarf'	Turner's Phlox	12	5-Gal	Medium
PH. MA	Phlox paniculata 'Mantel'	Turner's Phlox	2	5-Gal	Medium

Landscape Notes

- The landscape has been designed and shall be installed to be compliant with the City of Columbia Landscape Ordinance Policy Statements and to comply with the surrounding landscape.
- All parking areas to be top-dressed with min. 2" of bark mulch.
- No turf is proposed.
- The area is preliminarily staked with existing spray irrigation so plants have been installed that perform well in windy conditions and covered areas.
- Plant material has been proposed in hydrozones of similar water use requirements. Irrigation shall be revised to meet the plant water needs of the new planting.
- Plants have been selected and placed to provide a hierarchy of form, color, and texture with year-round interest. They have also been selected for their disease growth form, requiring minimal pruning and spraying.
- Soil amendments and bark mulch shall be compacted and recycled materials in the greatest extent possible.

Tree Removal and Replacement

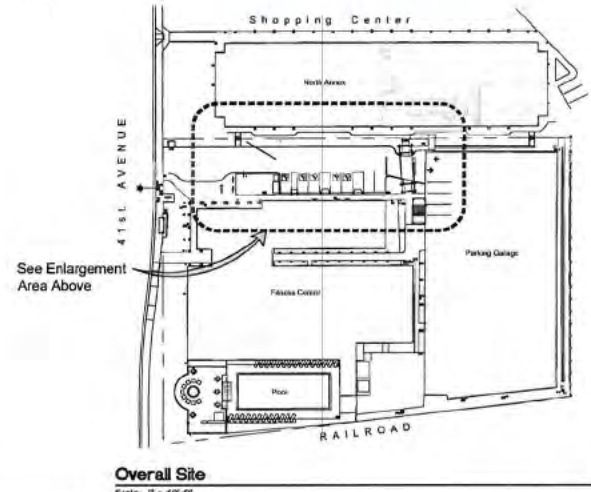
These existing small ornamental trees are to be removed with this project. The trees noted for removal are:

- 1. Ornamental tree with diameter 12"
- 1. Ornamental tree with diameter 12"

The removed trees are to be replaced with the following:

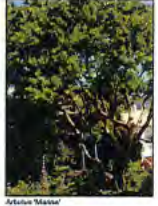
- 2. Arbutus 'Marion' - 24" tree size
- 1. Carpinus betulus 'Fastigiata' - 24" tree size

Note: There is an existing *Platanus occidentalis* (London Plane Tree) on the south side of the drive aisle that may need to be removed for the installation of the pergola. If this tree is required to be removed it has been noted on the plan to be replaced in the same general area with a new 24" tree size *Carpinus betulus* 'Fastigiata'.



Overall Site
Scale: 1" = 40'-0"

Trees



Arbutus 'Marion'



Arbutus 'Marion'



Carpinus betulus 'Fastigiata'

Shrubs and Groundcover



Artemisia 'Emerald Carpet'



Diarrhea bartramia



Limonium meianthemum



Limonium meianthemum 'Turquoise'



Phlox paniculata 'Turner's Variegated Dwarf'



Phlox paniculata 'Mantel'

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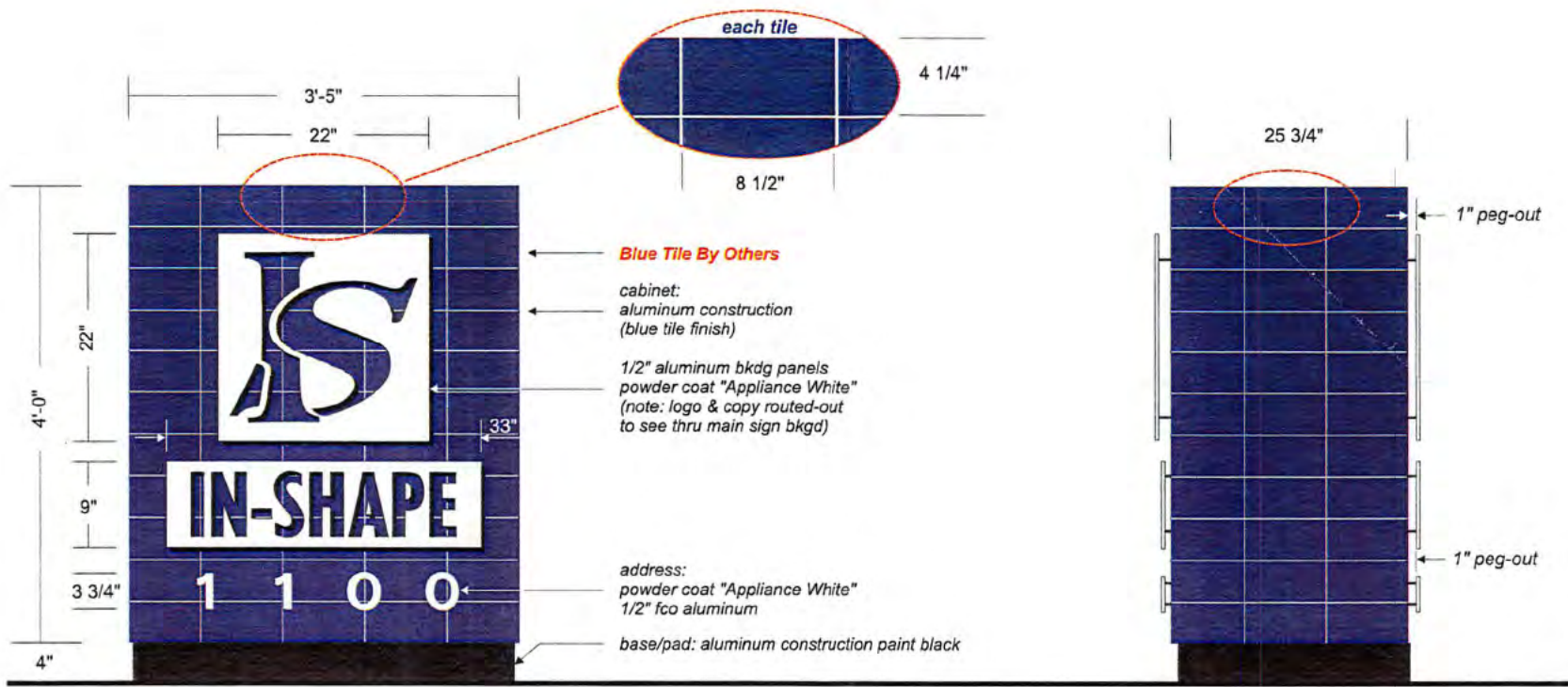
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209-632-2616 - 209-632-6116

CLUB #47
IN-SHAPE HEALTH CLUBS
1100-1105
PHASE 4D

Conceptual Landscape Plan

DATE:	MMT 21 2012
JOB NO.:	131444
DRAWN:	NAC
CHECKED:	BNW
SHEET:	

LO



Sign A:
D/F Non-Illuminated Monument Sign
Scale 1"=1'-0"

End View

<p>5201 Pentecost Drive Modesto, Calif. 95356 1-800-481-SIGN FAX (209) 543-1326 C.S.C.L. # 718965</p> <p>DESIGN MANUFACTURING INSTALLATION MAINTENANCE</p>	<p>JOB #: 000 CLIENT: IN SHAPE CONTACT: DATE: 3-30-12 PROJECT LOCATION: 1100 41st AVE CAPITOLA, CA</p>	<p>SALESPERSON: DAMON RICHMOND DRAWN BY: BAM PAGE 1 OF 2</p> <p>CLIENT APPROVAL _____ DATE _____ LANDLORD APPROVAL _____ DATE _____</p>	<p>REVISIONS: 3-30-12 bam 4-2-12 bam 4-6-12 bam</p>	<p>SCALE: NOTED FILE NAME: IS 47 capitola main bldg</p>	<p>ELECT. 120 Volt <input type="checkbox"/> 277 Volt <input type="checkbox"/> Other <input type="checkbox"/> one box above MUST be checked prior to any mfg.</p>	<p>See Drawing for Specifications</p> <p>SPECIFICATIONS RECEIVED</p> <p>APR 10 2012</p> <p>CITY OF CAPITOLA</p> <p><small>This Design Layout is specific to 120 volt electrical power. For approved illuminated signs, any other voltage at job site that requires additional detail fees will be an extra charge. Copyright 2009 USS United Sign Systems This artwork/logo is a sole property of USS United Sign Systems and cannot be reproduced without written permission of ISS/United Sign Systems.</small></p>



Photo Elevation (building front)

<p>USS UNITED SIGN SYSTEMS C.S.C.L. # 718965</p> <p>5201 Pentecost Drive Modesto, Calif. 95356 1-800-481-SIGN FAX (209) 543-1326</p> <p>DESIGN MANUFACTURING INSTALLATION MAINTENANCE</p>	<p>JOB INFO</p> <p>JOB #: 000 CLIENT: IN SHAPE CONTACT: DATE: 3-30-12 PROJECT LOCATION: 1100 41st AVE CAPITOLA, CA</p> <p>SALESPERSON: DAMON RICHMOND DRAWN BY: BAM PAGE 2 OF 2</p> <p>CLIENT APPROVAL _____ DATE _____ LANDLORD APPROVAL _____ DATE _____</p>	<p>FILE</p> <p>REVISIONS: 3-30-12 bam 4-2-12 bam 4-6-12 bam</p> <p>SCALE: NOTED</p> <p>FILE NAME: IS 47 capitola main bldg</p>	<p>ELECT.</p> <p>120 Volt <input type="checkbox"/> 277 Volt <input type="checkbox"/> Other _____ one box above MUST be checked prior to any mfg.</p>	<p>SPECIFICATIONS</p> <p>See Drawing for Specifications _____</p> <p><small>The Design Layout is specific to 120 volt electrical power for approved illuminated signage. Any other voltage at job site that requires additional install info will be an extra charge. Copyright 2008 USS United Sign Systems. This artwork/design is the property of USS United Sign Systems and cannot be reproduced without written permission of Inhouse Sign Systems.</small></p>
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IN-SHAPE HEALTH CLUBS

Live the life you want... Get In-Shape!

COMBINED PROJECT STATEMENT: IN-SHAPE HEALTH CLUBS 1100 AND 1200 41ST AVENUE – CAPITOLA, CALIFORNIA

INTRODUCTION

In-Shape Health Clubs, Inc., a Stockton, California-based company with more than 50 locations in California (“ISHC”), seeks to modify the premises it currently operates at 1100 and 1200 41st Avenue (“Main Club” and “Annex,” respectively) by establishing a pedestrian walkway on the Main Club grounds to coincide with the addition of a rear door in the adjacent Annex premises. This added access point will improve continuity between the two premises; will encourage use of the Main Club parking garage by patrons of the Annex; will provide more convenience and safety for all ISHC members and guests; and will enhance the street appeal and aesthetic qualities of both properties. ISHC also requests approval to remove a small tree in the landscape bordering 41st Avenue.

PROCEDURAL BASIS

The property is zoned Community Commercial and under the General Plan is designated “Commerical, Shopping, Regional.” A Conditional Use Permit for the current fitness use at the Main Club is believed to have first been approved sometime in the late 1970s. The current facility was built in 1984 and the parking garage was added in 2007. This application is submitted as required by Chapter 17.27.030 (Community Commercial District) of the Capitola Zoning Ordinance under Chapter 17.63 (Architectural and Site Plan Review). The approvals requested in these applications are consistent with the purpose and scope of the relevant ordinances, including Chapter 17.63.010 and any other applicable state planning and zoning laws. The required findings can be made, in that the proposed modifications reflect excellence of development, do not cause changes in traffic or congestion, do not impede any future utilization of solar energy, and encourage appropriate development and use of land in harmony with the neighborhood and surrounding uses. Favorable findings can be made on all points of consideration in Chapter 17.63.090 relevant to these applications. The proposed modifications are also consistent with Site Plan, Landscaping, Architecture, Design Elements, Lighting and Parking components of the 41st Avenue Guidelines (“Guidelines”) and, in particular, demonstrate articulation of Section I (2) of the Guidelines which encourages “linkages between adjoining commercial developments.”

COMPANY BACKGROUND

In-Shape Health Clubs, Inc. was founded in 1981 in Stockton, California with the goal of creating a family fitness atmosphere and helping to improve quality of life and lifestyle for its members. Now with nearly 60 clubs throughout central California, In-Shape remains committed to its founding message. In-Shape is a leader in the fitness industry with a proven track record of successful, well-received facilities, strong membership retention and a variety of programs to encourage and support physical fitness and good health. In-Shape facilities range from

according to a May 1994 City Council decision which predated construction of the parking garage, the gate is to remain locked between 9:00 a.m. and 7:00 p.m. Locking the gate was thought to discourage patrons from parking in the shopping center and walking next door to the Main Club. With the addition of the parking garage on the Main Club property, however, it may be time to revisit this. In any event, making the parking garage a more viable parking option for Annex patrons requires a way for those patrons to access the Annex without walking out to 41st Avenue and then back down the sidewalk in the shopping center to the Annex fitness space. The door proposed at the rear of the building is an easy, logical way to increase use of the parking garage and further links the two properties with a centrally located parking area.

Only minor changes in existing landscaping will be necessary, and ISHC expects to add landscaping in the area around the entry point as needed and as is appropriate. The landscaping plan accompanying this Statement reflects this. Existing lighting along the rear of the building may be modified as necessary to be appropriate for the area. The changes will have no effect on drainage.

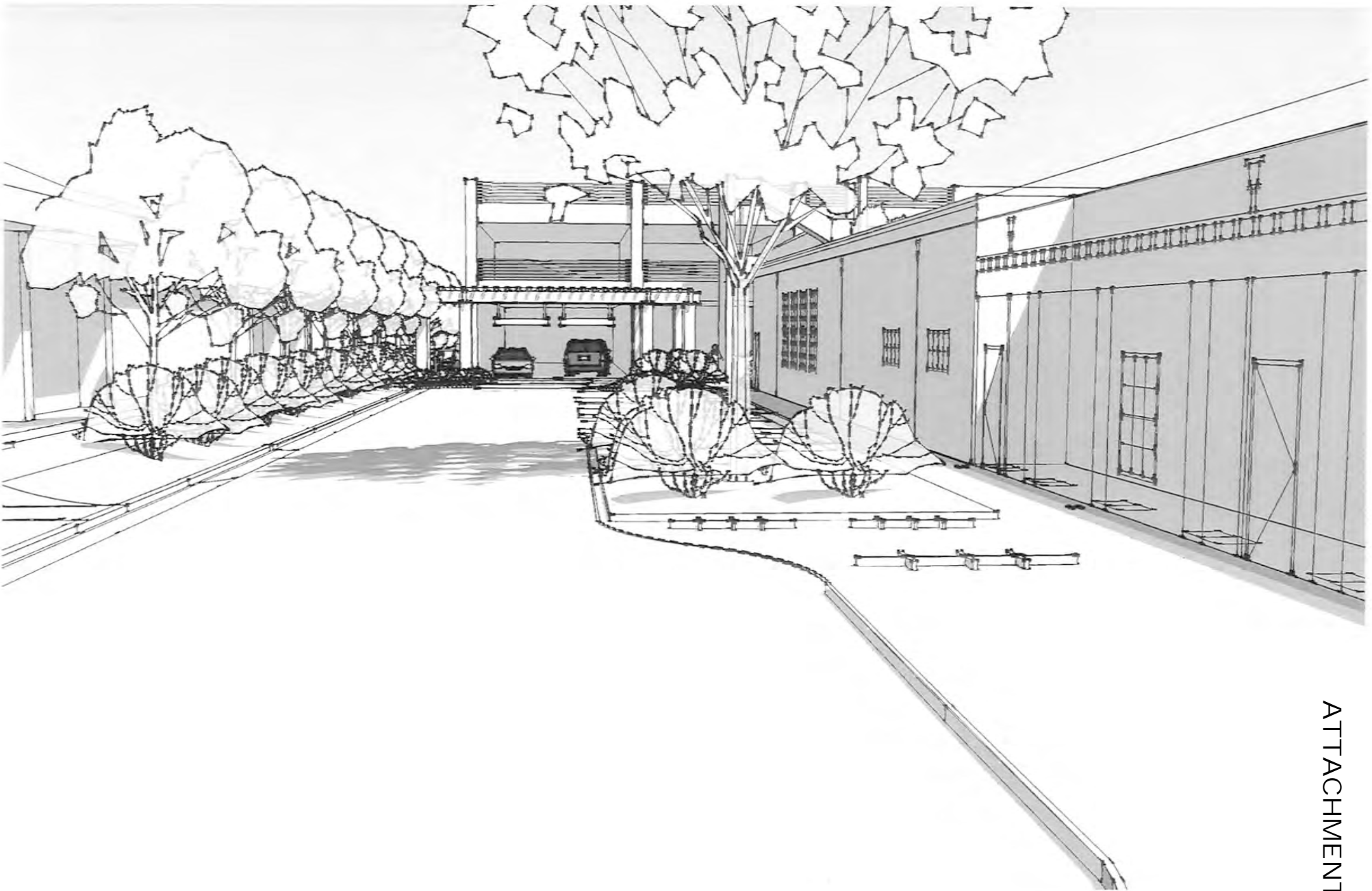
Proposed new signage for the front and back of the building is included with this application under Ordinance Section 17.57.070 B. Subsection B-1-a allows for a second wall sign for a business fronting on two streets; ISHC requests that the drive aisle on the Main club property be considered a second street so that the rear sign can be considered under that Section. A separate sign application is submitted concurrently.

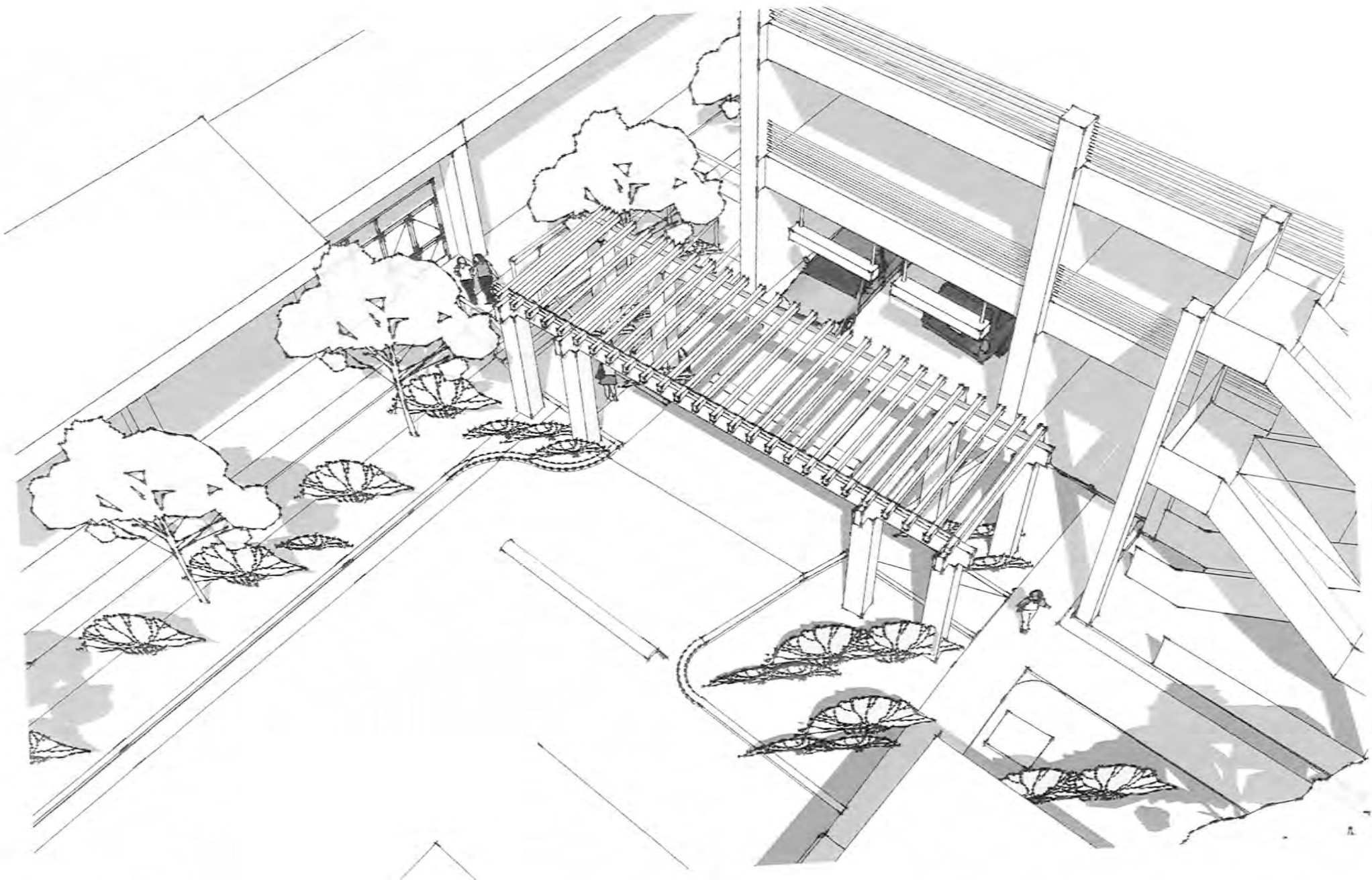
CONCLUSION

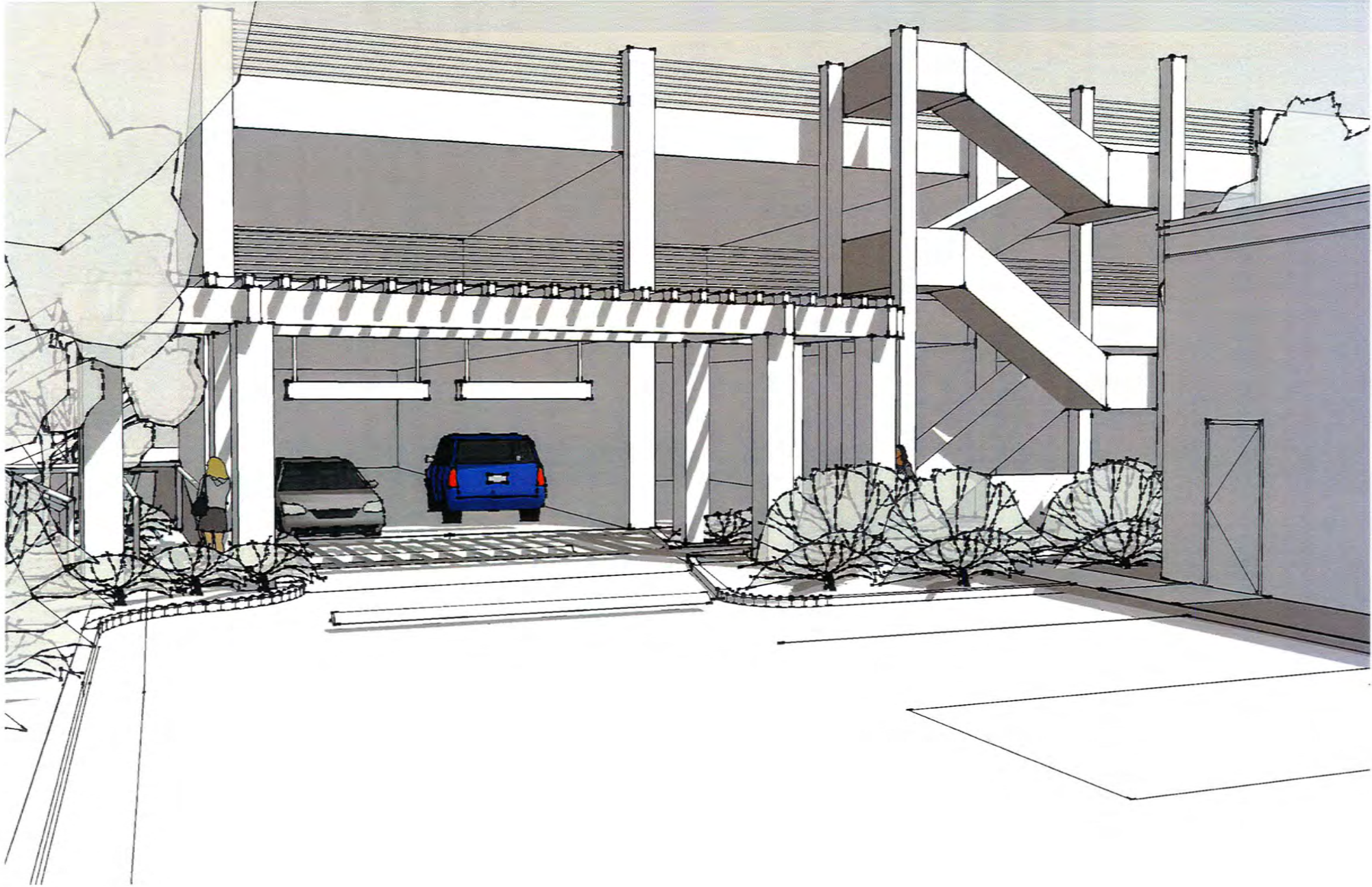
These projects will help ISHC create new appeal for a property that has been a mainstay of the 41st Avenue corridor for many years. ISHC is very sensitive to and respectful of the long history of Spa Fitness in these locations, and seeks by this minor modification to give the properties a new In-Shape personality that remains harmonious with this important commercial area.

SUBMITTAL ELEMENTS

Master Application
Project Statement
1100 41st Avenue Cover sheet, sheets A1-A3 and AD1
1200 41st Avenue Cover sheet, sheets A1-A2 and AD1
Renderings (6)
Sign applications, 1100 and 1200 41st Avenue
Tree Removal Application (1100 41st Avenue)















STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: JUNE 7, 2012

SUBJECT: **1200 41st AVENUE** **#12-058** **APN: 034-101-38**
Design Permit to establish a new storefront entrance and a Sign Permit for two wall signs for an existing health club (In-Shape) in the CC (Community Commercial) Zoning District.
Environmental Determination: Categorical Exemption
Property Owner: Begonia Plaza LLC, filed: 4/10/12
Representative: In-Shape Health Clubs

APPLICANT'S PROPOSAL

The applicant is requesting a Design Permit to establish a new entrance on the south side of the building to better connect with the main club building. In addition, they are requesting a Sign Permit to replace the existing wall sign and add a new wall sign adjacent to the new entrance. The parcel is located in the CC (Community Commercial) zoning district, and the existing health club is currently permitted under an approved Conditional Use Permit.

ARCHITECTURAL AND SITE REVIEW COMMITTEE

On May 9, 2012, the Architectural and Site Review Committee reviewed the application.

- City Landscape Architect Susan Suddjian questioned what trees were proposed for removal and requested that replacement trees be shown on the plans. She also suggested adding some type of climbing vine for the pergola.
- City Architect Derek Van Alstine suggested improving the plans by including a vicinity map, using correct scales, calling out materials, and providing more detail.
- Building Inspector Brian Van Son explained that an ADA compliant path of travel would be required to connect the two buildings. It was explained that this would involve incorporating an access ramp.
- Senior Planner Bane inquired as to if Begonia Plaza had a sign program.

DISCUSSION

In-Shape acquired the two fitness operations formerly known as *Spa Fitness* located in both the main club at 1100 41st Avenue and in an annex at 1200 41st Avenue in the Begonia Plaza. A new entrance on the south side of the annex building, facing the main club is being proposed in conjunction with a new walkway and pergola to better unify the two adjacent spaces, improving circulation and utilization for club members. A better connection between the two buildings should also encourage patrons of the annex to use the parking garage, helping to free up spaces in the Begonia Plaza parking lot.

The new entrance will be a standard aluminum store front assembly, consisting of a set of glass double doors in addition to tempered glass windows. The new entrance will be accessed by both a set of stairs as well as an ADA compliant ramp. The stairs and ramp will be located in a landscape strip, requiring the removal of existing landscaping and three smaller trees. A landscape plan has been submitted which incorporates new landscaping within the project area, and includes three replacement trees. Replacement trees are not required to be planted on a 2:1 ratio in this case as the three trees proposed for removal are under the minimum six-inch diameter measured at forty-eight inches above existing grade per the tree ordinance definition.

Wall Sign

The applicant is proposing two new wall signs, one to replace the previous *Spa Fitness* sign facing the Begonia Plaza parking lot, and the other adjacent to the new entrance. Staff was unable to find a sign program for the commercial center. The Sign Ordinance requires that the size of wall signs be no greater than one square foot of sign area for each foot of linear business frontage. With a total of 68 square feet of frontage along the parking lot side, the 21.2 square foot sign falls well within what is permitted. The "IS" portion of the sign would be a 7" deep aluminum reverse-pan painted dark blue, with ½" clear acrylic push-thru white vinyl "IS" logo. The individual "IN-SHAPE Fit" portion of the sign would consist of white acrylic letter faces with dark blue vinyl overlay. The letter would be pegged out 1" and be halo lit from behind.

The wall sign proposed adjacent to the new entrance would be by the "IS" logo with a neon face and halo lit. The 29"x29" would be 5.8 square feet in size.

While the sign facing the Begonia Plaza parking lot meets the requirements of the Sign Ordinance, staff is concerned with the letter height. If you look at the majority of the signs within the center, most have much smaller lettering. Without measuring each sign, staff would estimate that the sign lettering is generally around 12" in height. With 21" lettering proposed, the *In-Shape* sign is not consistent with the signage for the rest of the commercial center. Staff would recommend that the sign be revised to make it more compatible with the surrounding business signage.

RECOMMENDATION

Staff recommends that the Planning Commission **approve** project application #12-058, subject to the following conditions and based on the following findings:

CONDITIONS

1. The project approval consists of a Design Permit to establish a new entrance on the south side of the building in addition to a Sign Permit to replace the existing wall sign and add a new wall sign adjacent to the new entrance at 1200 41st Avenue.
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. The final landscape plan submitted with the building permit application shall include the specific number of plants of each type and their size, as well as the irrigation system to be utilized.
4. The application shall be reviewed by the Planning Commission upon evidence of non-compliance with conditions of approval or applicable municipal code provisions.

5. Prior to building permit sign off, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Zoning Administrator or Community Development Director.

FINDINGS

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

Community Development Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project conforms with the development standards of the CC (Community Commercial) Zoning District and the 41st Avenue Design Guidelines. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance and General Plan.

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

Community Development Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project conforms with the development standards of the CC (Community Commercial) Zoning District and the 41st Avenue Design Guidelines. 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(c) and 15311(a) of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.

Section 15303(c) of the CEQA Guidelines exempts construction of small facilities or structures not involving the use of significant amounts of hazardous substances, and not exceeding 2,500 square feet in floor area if the project is in an area where all public facilities are available to allow for the development and the project is not located in an environmentally sensitive area. Section 15311(a) exempts on-premise signs appurtenant to existing commercial facilities. This project involves construction of a new entrance and wall signs within an urban area. No adverse environmental impacts were discovered during review of the proposed project

ATTACHMENTS

- A. Project Plans
- B. Sign Plans
- C. Project description letter from the applicant

Report Prepared By: Ryan Bane
Senior Planner

1200 41ST AVENUE APN: 034-101-38

CAPITOLA

CALIFORNIA

PROJECT DATA

PROJECT:
THE PROJECT CONSISTS OF 1200 41ST AVENUE AND 1100 41ST AVENUE
SYSTEM WITH AN EXISTING HEALTH CLUB

LOCATION:
1200 41ST AVENUE
CAPITOLA, CA 95010
APN: 034-101-38

PROJECT TEAM

OWNER:
AL JAMES HEALTH CLUB, INC.
4335-B NORTH STAR WAY
MODESTO, CA 95358
TEL: 209.577.5213
SERVING: JANEIRA HERRERA
EMAIL: JANEIRA@ALJAMESCLUB.COM

ARCHITECT:
API ARCHITECTURE PLUS INC.
4335-B NORTH STAR WAY
MODESTO, CA 95358
TEL: 209.577.5213
FAX: 209.577.5213
CONTACT: JAMES HERRERA
EMAIL: JHERRERA@APIPI.COM

CONTRACTOR:
SMALL CONSTRUCTION
4115 ENTERPRISE WAY, SUITE 1
MODESTO, CA 95358
TEL: 209.581.4111
FAX: 209.581.4111
CONTACT: BOB BELLIS
EMAIL: BOB@SMALLCONSTRUCTION.COM

VICINITY MAP

1100 and 1200 41st AVENUE
AERIAL AND VICINITY MAP



BUILDING/PARCEL OVERVIEW - Subject properties/building noted with ■

- Building A: 1220 41st Avenue ■
- Building B: 1200 41st Avenue ■
- Building C: 1200 41st Avenue ■
- Building D: Parking garage - 1100 41st Avenue ■
- Building E: 1100 41st Avenue ■

SHEET INDEX

ARCHITECTURAL

- A0 COVER SHEET
- A1 SITE PLAN
- A2 EXTERIOR ELEVATIONS / SCHEDULES
- AD1 DETAILS

W/1000

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ARCHITECTURE
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fx. 209.577.5213
www.apipic.com

FRANK C. MOORE
JOSEPH L. LAMER
REGISTERED ARCHITECTS

1200 41st AVENUE
APN: 034-101-38

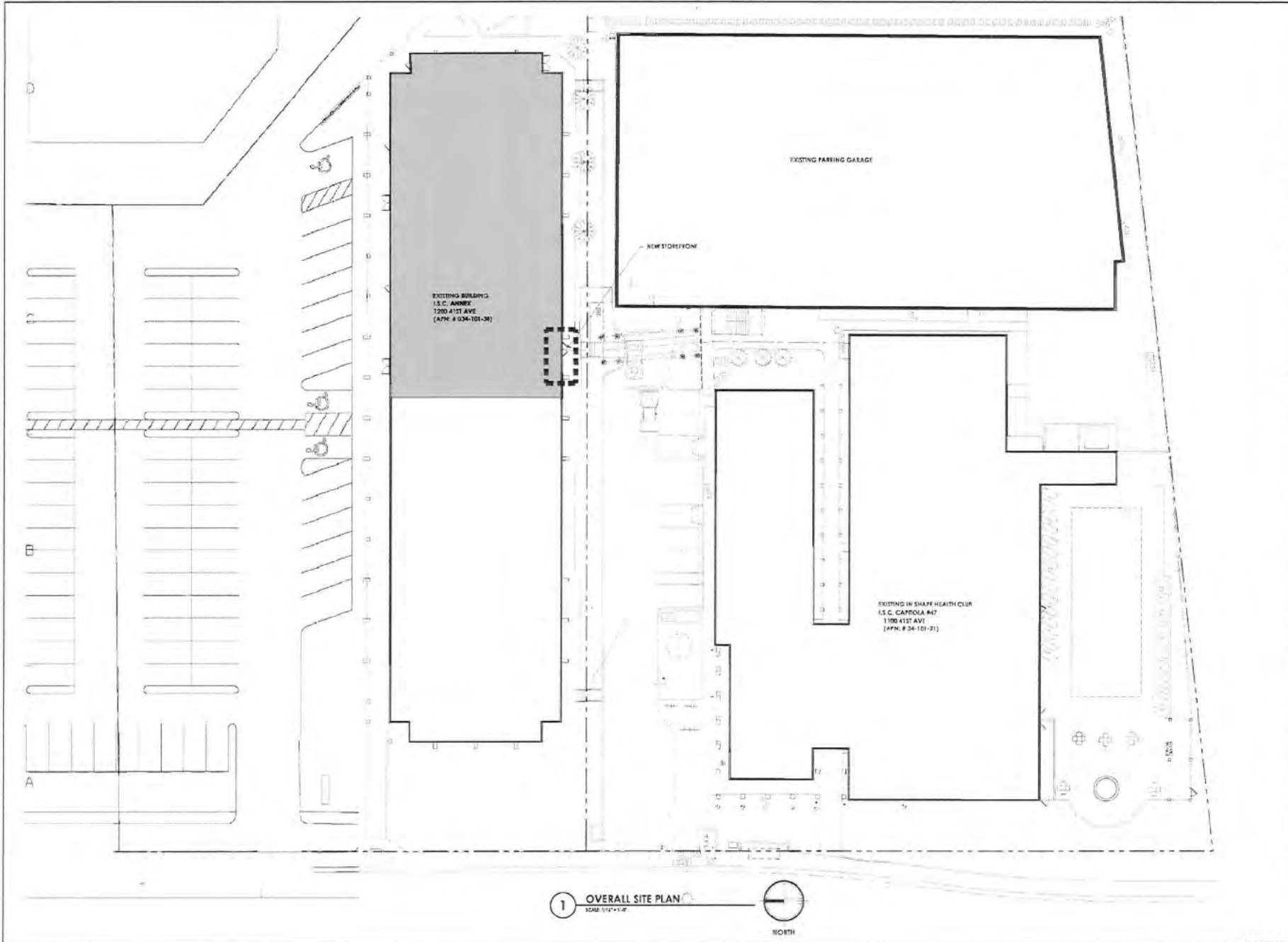
CAPITOLA

COVER SHEET

ATTACHMENT A

DATE: MAY 2011
JOB NO.: 11-048
DRAWN: S. SINGH
CHECKED: R. ALLEN
SHEET:

A



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4335-B NORTH STAR WAY
MODESTO, CA 95356
ph. 209.577.4661
fx. 209.577.0213
www.aplac.com

WHALE C. BOGGS
REGISTERED ARCHITECT
A 16-113-113

CA

1200 41ST AVENUE
APN: 034-101-38

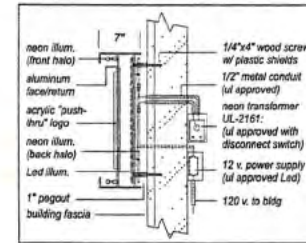
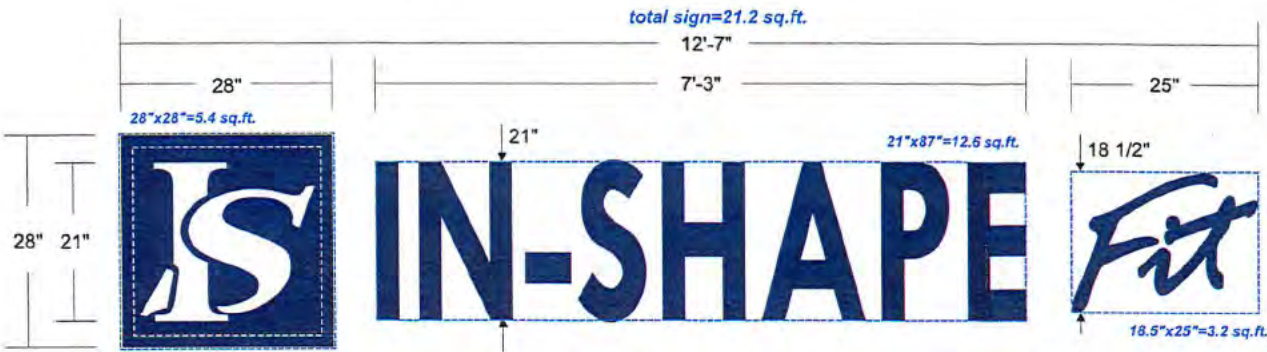
CA/034

OVERALL SITE PLAN

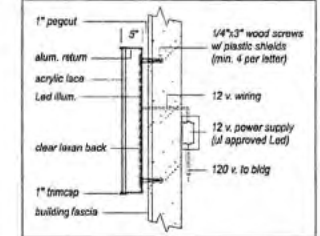
DATE:	MAY 2012
JOB NO.:	11-044-01
DRAWN BY:	R. SURETT
CHECKED BY:	J. ALONSO
SHEET:	

A1

<p>AD1</p> <p>DATE: MAY 2012 FOR NO. 11-084-03 DRAWN BY: J. B. BENTLEY CHECKED BY: M. BENTLEY</p>	<p>3 STOREFRONT HEAD / JAMB</p>	<p>6</p>	<p>9</p>	<p>12</p>	<p>15</p>
<p>DETAILS</p> <p>1300 AIA AVENUE APT. 024 101-3B CA 94041</p>	<p>2 STOREFRONT DOOR THRESHOLD DETAIL</p>	<p>5</p>	<p>8</p>	<p>11</p>	<p>14</p>
<p>api ARCHITECTURE PLANNING</p> <p>ARCHITECTURE PLUS INC. 4055 A NORTH STAR WAY MOORESTOWN, CA 95039 TEL: 925.377.4661 FAX: 925.377.0213 WWW.API-ARCH.COM</p>	<p>1 STOREFRONT DOOR TRANSOM DETAIL</p>	<p>4 STOREFRONT SILL DETAIL</p>	<p>7</p>	<p>10</p>	<p>13</p>



Logo Led & Neon Const./Mounting Detail



Copy Led Const./Mounting Detail (face & halo illum.)

Sign A: Led & Neon Face & Halo Illuminated P/C & Reverse-Pan Sign / Scale 3/4"=1'-0"

Logo (face illum.): 7" deep alum. reverse-pan paint dark blue (#36) with 1/2" clear acrylic push-thru white vinyl "IS" logo, ul approved white Led for "IS" illumination & ul approved blue "halo" neon illumination on back of sign, cabinet to have front 1 1/2" retainer with ul approved front blue "halo" neon illumination.

"In-Shape Fit" Copy (face & halo illum.): white acrylic letter faces with dark blue #36 vinyl overlay, 5" deep black returns with 1" black trimcap, ul approved white Led illumination, clear lexan letter backs, peg-out letters 1" for halo.

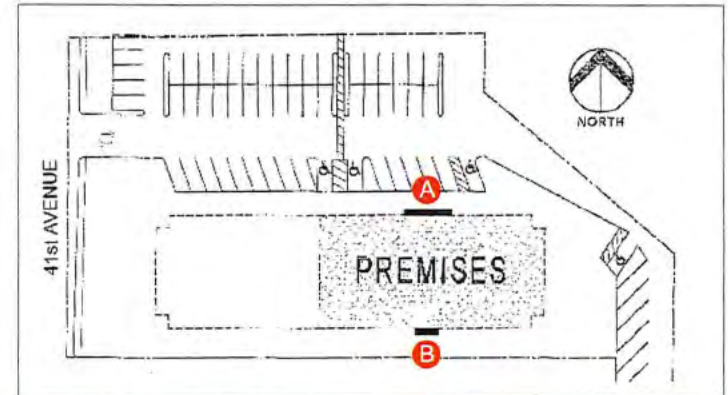


sign shown as it will appear @ night when illuminated

← 138' leased frontage →



Building Elevation (1200 41st Ave.)



SITE PLAN

USS UNITED SIGN SYSTEMS
 5201 Pentecost Drive
 Modesto, Calif. 95356
 1-800-481-SIGN
 FAX (209) 543-1326
 C.S.C.L. # 718965
 DESIGN MANUFACTURING INSTALLATION MAINTENANCE

JOB INFO
 JOB #: 000
 CLIENT: IN SHAPE
 CONTACT:
 DATE: 8-10-11
 PROJECT LOCATION:
 1100 & 1200 41st Ave
 CAPITOLA, CA

SALESPERSON: DAMON RICHMOND
 DRAWN BY: BAM
 PAGE 1 OF 2

CLIENT APPROVAL _____ DATE _____
 LANDLORD APPROVAL _____ DATE _____

FILE
 REVISIONS:
 8-18-11 bam
 3-30-12 bam

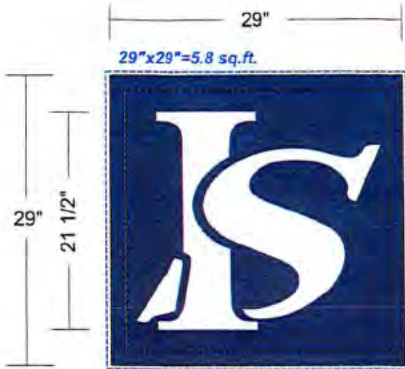
SCALE:
 NOTED

FILE NAME:
 IS 47 capitola
 anex bidg

ELECT.
 120 Volt
 277 Volt
 Other
 one box above
 MUST be checked
 prior to any mfg.

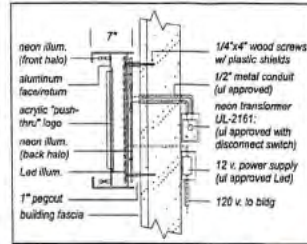
SPECIFICATIONS RECEIVED
 See Drawing for Specifications
 APR 10 2012
 CITY OF CAPITOLA

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Logo (face illum.):
 7" deep alum. reverse-pan
 paint dark blue (#36) with
 1/2" clear acrylic push-thru
 white vinyl "IS" logo.
 ul approved white Led for "IS"
 illumination & ul approved blue
 "halo" neon illumination
 on back of sign.

cabinet to have
 front 1 1/2" retainer
 with ul approved front
 blue "halo" neon illumination.



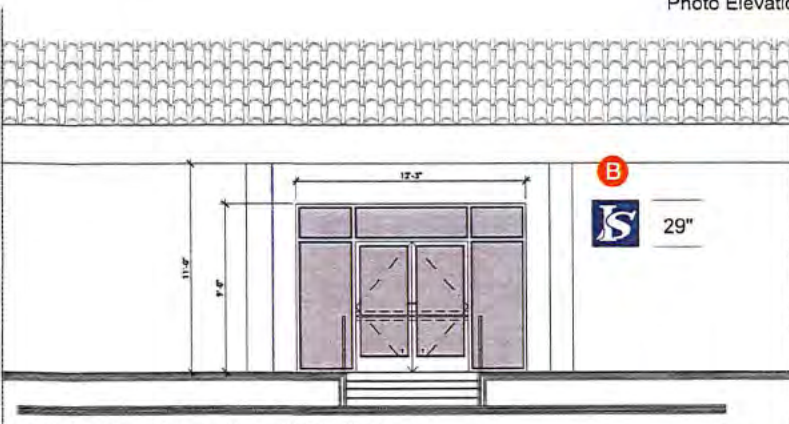
Logo Led & Neon Const./Mounting Detail



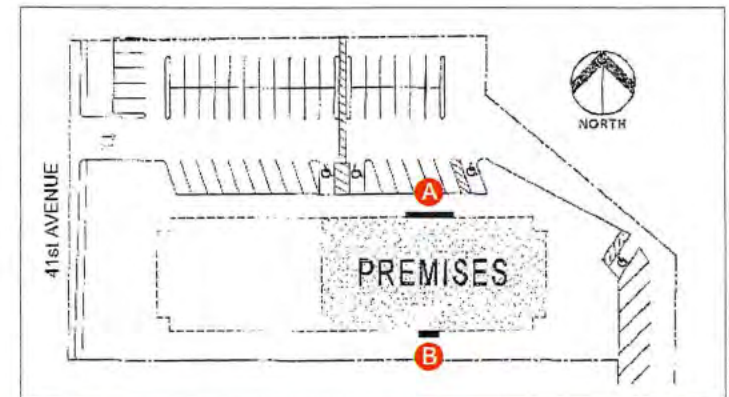
sign shown as it will appear
 @ night when illuminated



Photo Elevation



Building Elevation / Scale 3/16"=1'-0"



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 5201 Pentacost Drive
 Modesto, Calif. 95358
 1-800-481-SIGN
 FAX (209) 543-1326
 C.S.C.L. # 718965
 DESIGN MANUFACTURING INSTALLATION MAINTENANCE

JOB INFO
 JOB #: 000
 CLIENT: IN SHAPE
 CONTACT:
 DATE: 8-10-11
 PROJECT LOCATION:
 1100 & 1200 41st AVE
 CAPITOLA, CA

SALESPERSON: DAMON RICHMOND
 DRAWN BY: BAM
 PAGE 2 OF 2

CLIENT APPROVAL _____ DATE _____
 LANDLORD APPROVAL _____ DATE _____

FILE
 REVISIONS:
 3-30-12 bam

SCALE:
 NOTED

FILE NAME:
 IS 47 capitola
 anex bldg

ELECT.
 120 Volt
 277 Volt
 Other
 one box above
 MUST be checked
 prior to any mfg.

SPECIFICATIONS
 See Drawing for Specifications

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IN-SHAPE HEALTH CLUBS

Live the life you want... Get In-Shape!

COMBINED PROJECT STATEMENT: IN-SHAPE HEALTH CLUBS 1100 AND 1200 41ST AVENUE – CAPITOLA, CALIFORNIA

INTRODUCTION

In-Shape Health Clubs, Inc., a Stockton, California-based company with more than 50 locations in California (“ISHC”), seeks to modify the premises it currently operates at 1100 and 1200 41st Avenue (“Main Club” and “Annex,” respectively) by establishing a pedestrian walkway on the Main Club grounds to coincide with the addition of a rear door in the adjacent Annex premises. This added access point will improve continuity between the two premises; will encourage use of the Main Club parking garage by patrons of the Annex; will provide more convenience and safety for all ISHC members and guests; and will enhance the street appeal and aesthetic qualities of both properties. ISHC also requests approval to remove a small tree in the landscape bordering 41st Avenue.

PROCEDURAL BASIS

The property is zoned Community Commercial and under the General Plan is designated “Commerical, Shopping, Regional.” A Conditional Use Permit for the current fitness use at the Main Club is believed to have first been approved sometime in the late 1970s. The current facility was built in 1984 and the parking garage was added in 2007. This application is submitted as required by Chapter 17.27.030 (Community Commercial District) of the Capitola Zoning Ordinance under Chapter 17.63 (Architectural and Site Plan Review). The approvals requested in these applications are consistent with the purpose and scope of the relevant ordinances, including Chapter 17.63.010 and any other applicable state planning and zoning laws. The required findings can be made, in that the proposed modifications reflect excellence of development, do not cause changes in traffic or congestion, do not impede any future utilization of solar energy, and encourage appropriate development and use of land in harmony with the neighborhood and surrounding uses. Favorable findings can be made on all points of consideration in Chapter 17.63.090 relevant to these applications. The proposed modifications are also consistent with Site Plan, Landscaping, Architecture, Design Elements, Lighting and Parking components of the 41st Avenue Guidelines (“Guidelines”) and, in particular, demonstrate articulation of Section I (2) of the Guidelines which encourages “linkages between adjoining commercial developments.”

COMPANY BACKGROUND

In-Shape Health Clubs, Inc. was founded in 1981 in Stockton, California with the goal of creating a family fitness atmosphere and helping to improve quality of life and lifestyle for its members. Now with nearly 60 clubs throughout central California, In-Shape remains committed to its founding message. In-Shape is a leader in the fitness industry with a proven track record of successful, well-received facilities, strong membership retention and a variety of programs to encourage and support physical fitness and good health. In-Shape facilities range from

according to a May 1994 City Council decision which predated construction of the parking garage, the gate is to remain locked between 9:00 a.m. and 7:00 p.m. Locking the gate was thought to discourage patrons from parking in the shopping center and walking next door to the Main Club. With the addition of the parking garage on the Main Club property, however, it may be time to revisit this. In any event, making the parking garage a more viable parking option for Annex patrons requires a way for those patrons to access the Annex without walking out to 41st Avenue and then back down the sidewalk in the shopping center to the Annex fitness space. The door proposed at the rear of the building is an easy, logical way to increase use of the parking garage and further links the two properties with a centrally located parking area.

Only minor changes in existing landscaping will be necessary, and ISHC expects to add landscaping in the area around the entry point as needed and as is appropriate. The landscaping plan accompanying this Statement reflects this. Existing lighting along the rear of the building may be modified as necessary to be appropriate for the area. The changes will have no effect on drainage.

Proposed new signage for the front and back of the building is included with this application under Ordinance Section 17.57.070 B. Subsection B-1-a allows for a second wall sign for a business fronting on two streets; ISHC requests that the drive aisle on the Main club property be considered a second street so that the rear sign can be considered under that Section. A separate sign application is submitted concurrently.

CONCLUSION

These projects will help ISHC create new appeal for a property that has been a mainstay of the 41st Avenue corridor for many years. ISHC is very sensitive to and respectful of the long history of Spa Fitness in these locations, and seeks by this minor modification to give the properties a new In-Shape personality that remains harmonious with this important commercial area.

SUBMITTAL ELEMENTS

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Project Statement
1100 41st Avenue Cover sheet, sheets A1-A3 and AD1
1200 41st Avenue Cover sheet, sheets A1-A2 and AD1
Renderings (6)
Sign applications, 1100 and 1200 41st Avenue
Tree Removal Application (1100 41st Avenue)



STAFF REPORT

TO: PLANNING COMMISSION
FROM: COMMUNITY DEVELOPMENT DEPARTMENT
DATE: JUNE 7, 2012
SUBJECT: SANDWICH BOARD/A FRAME SIGN ORDINANCE

Recommended Action:

Review and make a recommendation to the City Council.

BACKGROUND

The City's sign ordinance specifically prohibits sandwich board signs in Capitola. In September 2011, the Community Development Department responded to several complaints about the placement of sandwich board signs in the Village. Staff initiated an enforcement effort throughout Capitola. Over a dozen merchants were sent Courtesy Notices along Capitola Avenue and throughout the Village area. Courtesy Notices were also sent to 41st Avenue merchants.

Following the distribution of Courtesy Notices, the BIA (Village Business Improvement Association) approached the City with the idea to develop a program to allow sandwich board signs under certain conditions. The Community Development Director met with BIA representatives and brought forward a new ordinance which would allow sandwich board signs for a one year trial period.

When the ordinance revision was taken to the Planning Commission in November, 2011, the Planning Commission recommended to the City Council that no revisions to the City's sign regulation should be made at that time but should be a part of the City's zoning regulation revision process. It is estimated that the new zoning regulations will be in place sometime in 2013.

The City Council considered the proposed sign ordinance amendment at their meeting on November 22, 2011 and again on February 9, 2012. The City Council ACTION from the February 9th meeting was "for staff to come back to the City Council with a proposed amendment to the Capitola Municipal Code to allow sandwich board signs."

DISCUSSION

The process for amending the zoning ordinance (sign ordinance) is for the amendment to first be reviewed by the Planning Commission which makes a recommendation to the City Council. If the City Council then significantly changes what the Planning Commission considered, the item needs to return to the Planning Commission to be reviewed again. The item before you is a new recommendation to the City Council on a proposed sign ordinance amendment. Staff is providing the

Planning Commission with three options for your consideration. The first option has been developed by the BIA. The second option is to approve a sandwich board sign program but with a more traditional sandwich board sign design and the third option is to again recommend to the City Council to not amend the sign program at this time but wait and include this in the re-write of the zoning ordinances. Option 1 and 2 would be for a one year trial period.

OPTION 1:

The BIA has developed their proposal hoping to address a number of issues raised by both the public and the City during the previous hearings on sandwich board signs. The BIA proposal is designed to address the concerns that the signs could be a hazard for pedestrians and the signs would end up in different locations. The proposal is also addressing the expressed need for signs which were well designed and would add to the attractiveness of the Village. As this design is not your typical sandwich board sign but a sidewalk sign. A sample of the actual sign will be available at the Planning Commission meeting. Attachment A shows a drawing of the sign.

To address the issue of sign placement, the BIA has developed a two sided sign which would be placed on a pole. The pole would then either be placed in a hole drilled into the sidewalk or on a stand. For signs in stands, the stand would need to be part of the application. The stand would need to be designed to be attractive with the sign and of sufficient size and weight to hold the sign on windy days. The sign proposed by the BIA would be 24 inches wide and 30 inches long. The signs would be placed on the poles so that the top of the sign would be 46 inches (3 feet 10 inches) off the ground. Each sign, in addition to obtaining a permit from Planning, would need to receive an encroachment permit from Public Works. If a hole is drilled into the public sidewalk, the applicant would have to cover that cost in addition to the sign permit cost. The holes should not be a trip hazard because of their size but could accumulate trash.

The revised sign ordinance will require sidewalk signs whether on poles or stands be removed and brought inside when the business is not open, that no other special event or temporary signs can be used when the sign is displayed and that these signs are allowed only in the Center Village Zoning District. The Council requested that the number of permits issued for sidewalk signs, whether on a pole or in a stand, be limited to 30. Once we have reached the number 30, no new permits would be issued until one is eliminated.

Approval of the sign will be done by the Planning Commission. This will allow the Planning Commission to consider the location of the sign and other signage on the property. At the end of the one year trial period it may be appropriate to change the ordinance to have these types of signs approved by staff.

The Draft Option 1 Ordinance, Attachment B, would implement this program.

OPTION 2:

The Planning Commission could consider an ordinance revision which would allow a more traditional type of sandwich board/A frame sign rather than signs on poles. These signs would be placed within 5 feet of the main entrance of the business. Two examples of traditional sandwich board type signs are show in Attachment C. These are only examples. The Planning Commission could add additional specifics to the sign design. Staff is recommending using the standard wood frame chalk board sign because of its simplicity. There would be size limits of sandwich board signs. There is a minimum size so they do not become tripping hazards and a maximum size. Staff is recommending the signs be no taller than 46 inches and no wider than 24 inches. There needs to be a minimum base spread of 18 inches for stability.

The advantage of going with a more traditional type sign is that they are easy to obtain, are moveable and fit into the category of announcing special sales, menus or events.

The Draft Option 2 ordinance, Attachment D, would implement this program.

OPTION 3:

The Planning Commission has the option of continuing to recommend to the City Council that this item wait until there is a comprehensive review of the City's sign ordinance next year.

SUMMARY: Both of the draft ordinances are to allow for signs in the Center Village Commercial area only. Both draft ordinances are for one year trial periods which will begin when the City's application to amend the Local Coastal Plan is approved. Both draft ordinances will require encroachment permits to place the sign on the public side walk. Both draft ordinances are for a maximum of 30 permits being issues. If there are problems with the program, modification or cancellation can be made at the end of the one year trial period.

CEQA REVIEW

Two sections of the California Environmental Quality Act apply to the proposed amendments, which would temporarily allow sandwich board signs in the Central Village Zone District. Section 15311(a) of the CEQA Guidelines consists of the construction, or replacement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including but not limited to on-premises signs.

Section 15061 (b) (3) provides that a project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

Sign placement in an existing urban environment will not have a significant impact on the environment. Allowing sandwich board signs in the Central Village and Neighborhood Commercial Zone Districts would be insignificant, since it is already a built out environment with urban amenities and would have a minimal impact on visual resources and the environment.

ATTACHMENTS

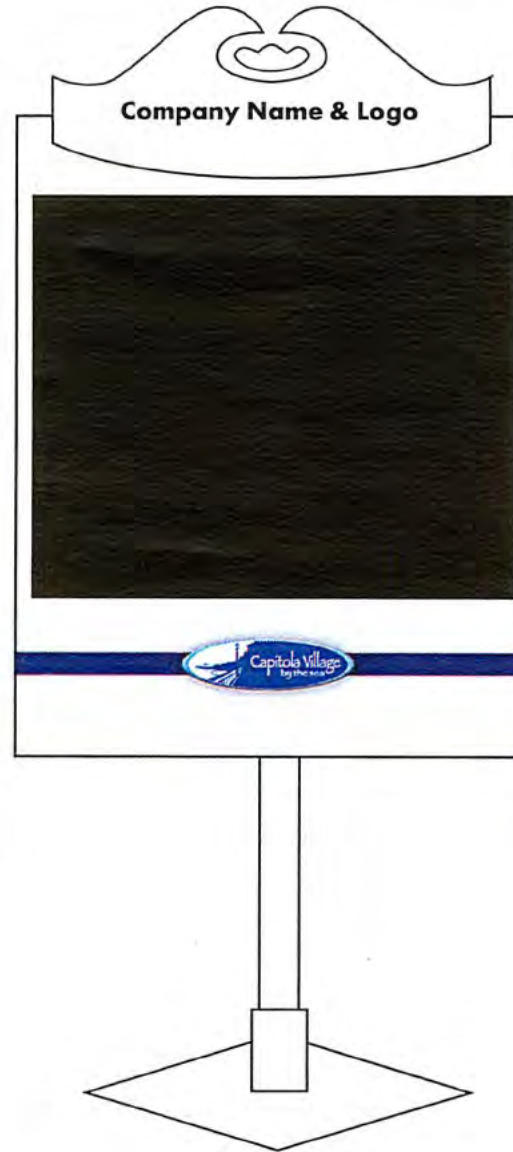
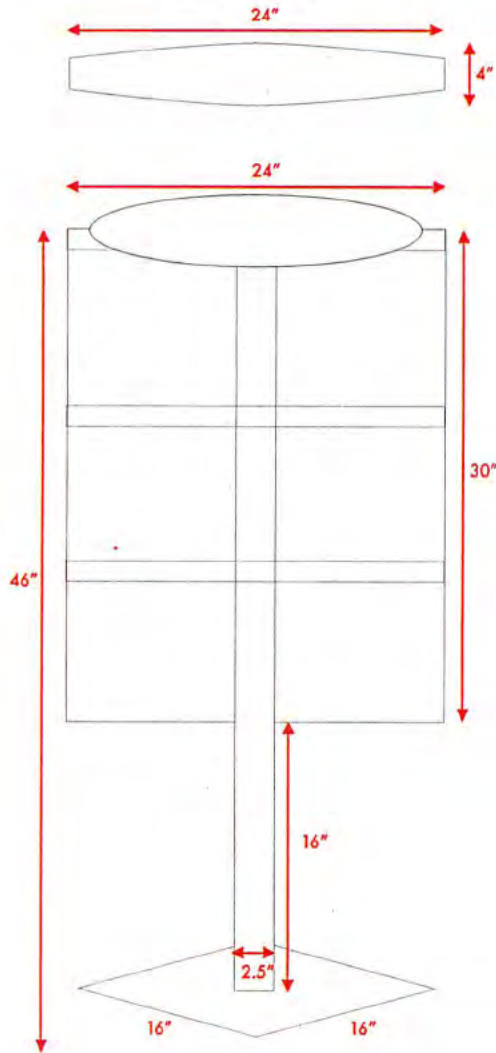
- A. Drawing for the BIA proposed sign.
- B. Revised sign ordinance to implement the BIA proposed sign program.
- C. Drawing of a traditional Sandwich Board/A Frame sign.
- D. Revised sign ordinance to implement a traditional Sandwich Board/A Frame sign program.
- E. Copy of City Council Minutes from February 9, 2012
- F. Correspondence

Report Prepared By: Susan Westman
Interim Community Development Director

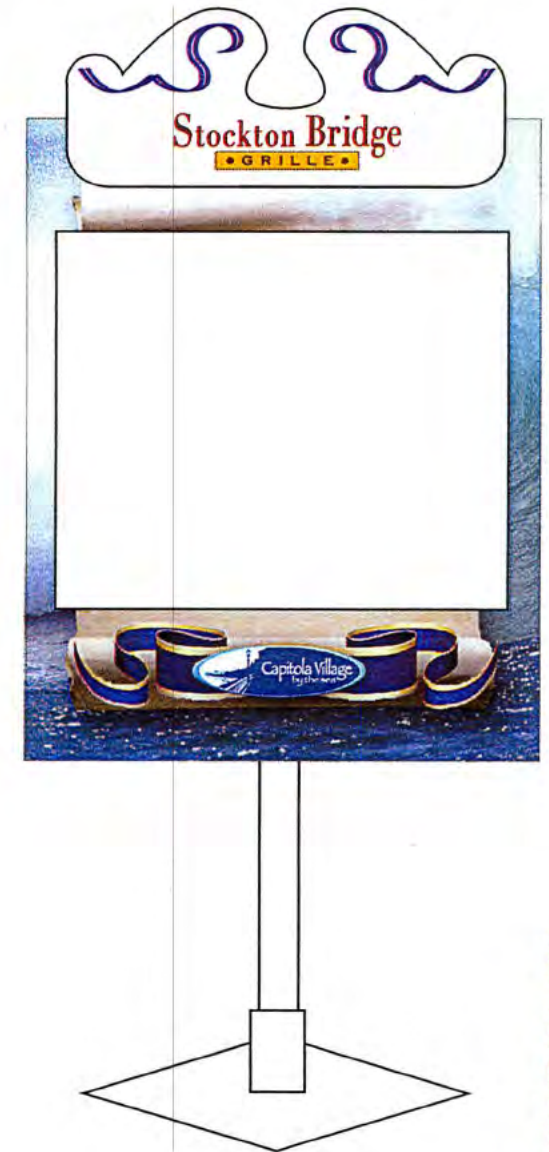
• Please Inspect and Read This Proof Very Carefully •

This proof is an important phase of your project. Now is the time to catch any errors. Items like phone numbers, addresses, and names cannot be spell checked, therefore PPD is not accountable for incorrect information. Please take the time to verify all printed information prior to signing this form.

TOP VIEW



DESIGN #1



DESIGN #2

ATTACHMENT A

Client: City of Capitola

Project: Parking Pole Sign

Date: 1-23-12

Filename: city of capitola/signs/parkingmetersign3_proof.ai

Studio 831.479.9098 | Toll Free 1.888.479.6118 | Fax 831.477.2073

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DRAFT ORDINANCE FOR OPTION 1

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CAPITOLA AMENDING SECTION 17.57.040 D. OF THE MUNICIPAL CODE PERTAINING TO PROHIBITED SIGNS AND ADDING SECTIONS 17.57.020 B. 4. AND 17.57.060 F. TO THE MUNICIPAL CODE PERTAINING THE USE OF SIDEWALK SIGNS IN THE CENTRAL VILLAGE.

THE CITY COUNCIL OF THE CITY OF CAPITOLA HEREBY ORDAINS AS FOLLOWS:

Section 1. Section 17.57.020 B. 4. is added to the Capitola Municipal Code to read as follows:

“4. Sidewalk signs as allowed in this chapter.”

Section 2. Section 17.57.040 D. of the Capitola Municipal Code is amended to read as follows:

“D. Sidewalk signs; except as allowed in this chapter.”

Section 3. Section 17.57.060 F. is added to the Capitola Municipal Code to read as follows:

“F. Sidewalk signs are permitted in the Central Village Zoning District subject to the following standards:

1. Only one (1) two sided sidewalk sign per business establishment is permitted.
2. Sandwich board signs require a sign permit to be issued by Planning Commission through the City’s Design Review process prior to the placement of the sign.
3. Sandwich board signs shall be no larger than twenty-four (24) inches in width and thirty (30) inches in height and will be placed on a pole so that the bottom of the sign is no more than sixteen (16) inches off the ground. (Total height shall not exceed 46 inches from the ground.)
4. Poles will either be placed in a hole drilled into the sidewalk or in moveable stand. The moveable stands will need to be approved as part of the sign permit. An encroachment permit is required to drill into the public sidewalk.
5. Lights, banners, flags or similar objects shall not be placed on or adjacent to sidewalk signs.
6. All sidewalk signs will need to obtain an encroach permit which will identify the location of the sign from the Public Works Department. Location of the sign will be in conformance with the sign permit issued by the Planning Commission.
7. Sandwich board signs shall not interfere with pedestrian ingress or egress as required by the Building Code or obstruct vehicular traffic sight distance requirements. A forty eight (48) inch level clear path of travel on concrete or similar material must be maintained where the sign if located.
8. Sidewalk signs shall be spaced a minimum of 15 linear feet from all other permitted sidewalk signs.
9. Sidewalk signs must use the approved Business Improvement Association master design approved by the City Council on -----which includes locating the sign on a pole to be placed in the sidewalk or in a moveable stand. A copy of the approved sign shall be maintained in the Planning Department of the City of Capitola.
10. Sidewalk signs may be used only during the hours when the business is open to the public. At all other times the sign must be stored within the business premises.

- 11. No other temporary advertising signs may be used at the same time as the sidewalk sign is in use. This includes all banners, flags, and window signs covering more than 1/3 of the window or other temporary signage.
- 12. All other signs on the property receiving a permit for a sidewalk sign much be in conformance with the City's sign regulations prior to a sidewalk sign permit being issued.
- 13. Damaged or dilapidated sidewalk signs shall be replaced at the discretion of the Community Development Director.
- 14. No sidewalk sign may contain lights of any kind.
- 15. No more than 30 sidewalk signs will be allowed in the Central Village Zoning District at any time.
- 16. The owner of any business desiring to place a sidewalk sign on the City right-of-way shall provide an executed City hold harmless waiver and proof of liability insurance to the satisfaction of the City Attorney in the amount of \$1,000,000 prior to placing the sign within said right-of-way.
- 17. Multi-tenant developments shall be permitted one sandwich board sign per each common exterior public business entrance.

Section 3. This ordinance shall remain in effect for 12 months from the date of the Coastal Commission approval of the amendment to the City's Local Coastal Plan.

Section 4. This ordinance shall be in full force and take effect on the date of the Coastal Commission approval of the amendment to the City's Local Coastal Plan.

This ordinance was introduced on the _____ day of _____, and was passed and adopted by the City Council of the City of Capitola on the _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Mayor

ATTEST:

City Clerk



DRAFT ORDINANCE FOR OPTION 2

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CAPITOLA AMENDING SECTION 17.57.040 D. OF THE MUNICIPAL CODE PERTAINING TO PROHIBITED SIGNS AND ADDING SECTIONS 17.57.020 B. 4. AND 17.57.060 F. TO THE MUNICIPAL CODE PERTAINING THE USE OF SANDWICH BOARD SIGNS IN THE CENTRAL VILLAGE

THE CITY COUNCIL OF THE CITY OF CAPITOLA HEREBY ORDAINS AS FOLLOWS:

Section 1. Section 17.57.020 B. 4. is added to the Capitola Municipal Code to read as follows:

“4. Sandwich board signs as allowed in this chapter.”

Section 2. Section 17.57.040 D. of the Capitola Municipal Code is amended to read as follows:

“D. Sandwich board and other movable freestanding signs; except as allowed in this chapter.”

Section 3. Section 17.57.060 F. is added to the Capitola Municipal Code to read as follows:

“F. Sandwich board signs are permitted in the Central Village Zoning District subject to the following standards:

1. Only one (1) sandwich board sign per business establishment is permitted.
2. Sandwich board signs require a sign permit to be issued by the Planning Commission through the City’s Design Review process prior to the placement of the sign.
3. Sandwich board signs shall be made of wood and/or metal. No PVC or other plastic type pipe will be allowed.
4. Sandwich board signs shall be a minimum of 28 inches in height but not exceed 48 inches in height. Sandwich board signs shall not exceed 24 inches in width. The A-frame structure shall be a minimum spread of 18 inches wide.
5. Lights, banners, flags or similar objects shall not be placed on or adjacent to a sandwich board sign.
6. Sandwich board signs shall not interfere with pedestrian ingress or egress as required by the Building Code or obstruct vehicular traffic sight distance requirements. A forty eight (48) inch level path of travel on concrete or similar material must be maintained where the sign is located.
7. Sandwich board signs must be placed on a sidewalk or landscaped area immediately adjacent to the business. No sandwich board sign shall be placed on the roadway or in a parking space.
8. Sandwich board signs may be used only during the hours when the business is open to the public.
9. All other signs on the property receiving a permit for a sandwich board sign must be in conformance with the City’s sign regulations prior to a sandwich board sign permit being issued.
10. Damaged or dilapidated sandwich board signs shall be replaced at the discretion of the Community Development Director.
11. No sandwich board sign may contain lights of any kind.
12. Multi-tenant developments shall be permitted one sandwich board sign per each common exterior public business entrance.

- 13. Sandwich board signs shall be spaced a minimum of 15 linear feet from all other permitted sandwich board signs.
- 14. No more than 30 sandwich board sign permits will be issued at any one time.
- 15. The owner of any business desiring to place a sidewalk sign on the City right-of-way shall provide an executed City hold harmless waiver and proof of liability insurance to the satisfaction of the City Attorney in the amount of \$1,000,000 prior to placing the sign within said right-of-way.

Section 3. Section 3 of this Ordinance shall remain in effect for 12 months from the date of the Coastal Commission approval of the amendment to the City's Local Coastal Plan.

Section 4. This ordinance shall be in full force and take effect on the date of the Coastal Commission approval of the amendment to the City's Local Coastal Plan.

This ordinance was introduced on the _____, and was passed and adopted by the City Council of the City of Capitola on the _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Mayor

ATTEST:

_____,
City Clerk

12159

CAPITOLA CITY COUNCIL – FEBRUARY 9, 2012

5. CONSENT CALENDAR (continued)

- E. Consideration of approving the Special Event Permits Administrative Policy and the modifications to the Block Party Permit and Grant Program Administrative Policy. [1050-70]

ACTION: Motion by Council Member Norton, seconded by Council Member Storey, to approve the Special Event Permits Administrative Policy and the modifications to the Block Party Permit and Grant Program Administrative Policy. The motion carried on the following vote: **AYES:** Council Members Harlan, Norton, Storey, and Mayor Termini. **NOES:** None. **ABSENT:** None. **ABSTAIN:** Council Member Nicol.

The following action on the Consent Calendar, the City Council then discussed Item 5.D. and took separate action on that item:

- D. Receive Planning Commission Action Minutes for the Regular Meeting of February 2, 2012. [740-50]

Council Member Harlan asked if anyone else had appealed the permit to install a wall sign and a monument sign at 4510 Capitola Road (Commercial/Residential Zoning District) (**Mayor Termini** stated that he appealed the sign permit).

Motion by Council Member Harlan, seconded by Council Member Storey, to receive the Planning Commission Action Minutes of February 2, 2012, as submitted. The motion carried unanimously with the following vote: AYES: Council Members Harlan, Norton, Nicol, Storey, and Mayor Termini. NOES: None. ABSENT: None. ABSTAIN: None.

6. GENERAL GOVERNMENT

- A. Consideration of an amendment to the Capitola Municipal Code to allow sandwich board signs. [720-50/570-10]

Interim Community Development Director Westman provided a brief history of this item; staff was directed to come back to the City Council with a revised Ordinance. She stated that staff has met with village merchants, who have been working on developing ideas for sandwich board signs. She stated that this item is a presentation from the village merchants with purposed ideas. She stated that in the future staff will need direction from the City Council regarding modifying a new draft sign ordinance.

Mayor Termini requested the representative from the Capitola Village and Wharf Business Improvement Area present their proposal.

Carl Hyman, local business owner, stated that he has worked with village business owners to come up with the proposed sandwich board sign design. He reviewed specifics about the proposed signage and presented a prototype sandwich board sign.

6. GENERAL GOVERNMENT (continued)

Council discussion ensued regarding the proposed sandwich board sign design.

Mayor Termini opened this item for public comment.

Gary Wetsel, Paradise Beach Grille, clarified some of the sandwich board sign design specifics. He stated that the design process has included input from residents, business owners, and the City Council.

Michael Lavigne, Michael Lavigne Real Estate Services, provided his support for the proposed sandwich board sign design.

Ed Bottorff, Capitola resident, provided his support for the proposed sandwich board sign design, stating that the signs should be placed in the same location where the previous parking meters were located.

Peter Latour, Santa Cruz Hostel, suggested that the proposed sandwich board signage be more decorative and be placed high enough to be viewed above vehicles.

Mayor Termini closed this item for public comment.

Council Member Norton made a motion with the following proposed sandwich board sign criteria: (a) allow free-standing signs in the commercial part of the Central Village Zoning District for a one-year trial period; (2) do not allow banners or temporary outside signs if the proposed sandwich board signs are approved; (3) obtain the cost of a sign permit from the City that would include code enforcement costs; (4) allow the height of the proposed signage to be thirty inches and a width of twenty-inches; (5) require ADA compliance; (6) allow for two-way sidewalk pedestrian traffic; (6) allow a minimum distance between signs to be forty feet.

Mayor Termini seconded the motion with an amendment to include that the proposed signs be placed at least twenty-four inches from the curb and to keep the sidewalk clear for two-way pedestrian traffic.

Council Member Nicol stated the following point of order: the Mayor should provide a second to a motion only in the absence of a second from another council member.

Mayor Termini withdrew his motion.

Council Member Storey asked about the standard "look and feel" format required for the proposed design standard.

Council Member Norton suggested that staff provide the City Council with a standardized design that would allow for some variations.

6. GENERAL GOVERNMENT (continued)

Mayor Termini stated that businesses should be able to use the top oval section of the sign for their own design, and the remaining portion of the sign should be a standard design.

Interim Community Development Director Westman stated that staff will return to Council with recommendations on the sign ordinance.

Mayor Termini requested that staff provide the City Council with the number of businesses that would be affected by the proposed sign ordinance and for staff to provide a recommendation on consistency of text used on the signs.

ACTION: Motion by Council Member Norton, seconded by Council Member Nicol, for staff to come back to the City Council with a proposed amendment to the Capitola Municipal Code to allow sandwich board signs. The motion carried unanimously on the following vote: AYES: Council Members Harlan, Norton, Nicol, Storey, and Mayor Termini. NOES: None. ABSENT: None. ABSTAIN: None.

Mayor Termini stated concerns regarding businesses (i.e., various 41st Avenue businesses) being affected by the proposed amended Sandwich Board Sign Ordinance.

Interim Community Development Director Westman responded that staff will be coming back to the City Council in the future with direction to address the egregious problem of businesses placing flags and large banners in storefronts, and staff will return to the City Council with the Planning Commission's recommendation.

B. Consideration of adopting an Urgency Ordinance banning the installation of the PG&E SmartMeters in the City. [565-30]

Public Works Director Jesberg stated that in March 2011 City Council adopted an Urgency Ordinance which expired in December 2011 banning the installation of the PG&E SmartMeters. He stated that on February 1, 2012, the California Public Utilities Commission approved a PG&E opt-out program, and he reviewed the costs to customers to opt-out of the SmartMeter, and instead use the analog meter. He stated that the County of Santa Cruz, which had adopted a similar moratorium ordinance in 2011, recently approved another moratorium ordinance for the unincorporated area. He stated that staff recommends Council receive public input and provide direction to staff.

Mayor Termini opened this item for public comment.

Karen Nevis, Capitola resident, urged the City Council to continue the SmartMeter moratorium.

From: [Nels Westman](#)
To: [PLANNING COMMISSION](#)
Cc: [City Council](#)
Subject: Village Mini-Billboards
Date: Monday, April 02, 2012 6:16:20 PM

Dear Planning Commission,

You have to admire Capitola's penchant for bucking trends. While most of the country is trying to reduce or eliminate billboards and their negative impact on the roadside aesthetic environment, Capitola is actually proposing to start a new billboard program that ultimately will result in 30 new mini-billboards along our Village streets.

I realize that I am sort of preaching to the choir here because the planning Commission correctly foresaw what a mess this was going to be and voted against changing the existing rules to allow sandwich boards and their various permutations. It was on February 9th that the City Council opened this particular Pandora's Box by directing staff to work with the BIA on the sign that the BIA debuted in Chambers that night. .

The result: mini-billboards.....up to 30 of them.....each double-sided totaling 10 square feet.....with the content totally unregulated. That's 300 square feet of mini-billboards all over the Village with no control over content. This train wreck of a proposal is coming back to you from the Council so it is your problem again. I sincerely hope you stop it in its tracks when it comes before you.

To be honest when the discussion was about a little a-frame sign here or there.....particularly for a business experiencing real hardship due to poor visibility or a second story location.....I didn't have a strong feeling one way or the other. But now it has morphed into a really bad idea that will adversely impact our Village aesthetic.

The thing that particularly concerns me is that the BIA wants to install these mini-billboards on the poles that previously mounted parking meters and are now used to mount signage that helps Village parkers successfully pay for their parking so that they do not receive a ticket. Ultimately there is a plan to explore replacing the current signs with improved signs on these poles. That is, of course, unless the Council gives this public space away for free advertising of the services and wares of the Village merchants.

The City has warned of impending hard fiscal times and is proposing a 1/4 percent sales tax increase to raise revenues. A minimum of responsible fiscal management would dictate that the Council should see this use of public space (the sidewalks) and public facilities (the poles) as a revenue opportunity and charge merchants handsomely for renting this space for their mini-billboards. This revenue should then be dedicated to new parking solutions since parking revenues paid to install the poles in the first place.

The current sign regulations regarding sandwich boards have served Capitola well for many years. Let's stick with them and not allow these mini-billboards in our Village.

Thank you.

Nels Westman