



# **AGENDA \*REVISED\***

## **CAPITOLA PLANNING COMMISSION**

### **Thursday, June 1, 2017 – 7:00 PM**

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

#### **1. ROLL CALL AND PLEDGE OF ALLEGIANCE**

#### **2. ORAL COMMUNICATIONS**

##### **A. Additions and Deletions to Agenda**

##### **B. Public Comments**

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

##### **C. Commission Comments**

##### **D. Staff Comments**

#### **3. APPROVAL OF MINUTES**

##### **A. Planning Commission – Regular Meeting- April 6, 2017**

#### **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. 210 Esplanade                      #17-058                      APN: 035-221-08/09**

Sign Permit for wall sign and projecting sign for the Capitola Hotel located in the CV (Central Village) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: Corrie & Jeff Sid

Representative: FUSE Architects Inc., filed: 4/21/17

##### **B. 203 & 205 Sacramento Avenue                      #17-043 & 44                      APN: 036-125-03 & 15**

Major Revocable Encroachment Permit for a 42-inch fence and gate in the public right-of-way along Sacramento Avenue at two adjacent properties, located in the R-1 (Single-Family Residential) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: Nicholas Cierkosz

Representative: Anna Cierkosz, filed: 3/28/17

**C. 212 Monterey Avenue #16-111 APN: 035-261-11**

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

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

Environmental Determination: Categorical Exemption

Property Owner: Joe Mingione

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

NOTE: Request for Continuance to July 20, 2017 Planning Commission Meeting

**D. Capitola Mall Redevelopment - Request to Continue to July 20, 2017****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. 2205 Wharf Road #16-041 APN: 034-141-34**

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

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

Environmental Determination: Categorical Exemption

Property Owner: Christopher Wright

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

**B. 312 Park Avenue #17-027 APN: 036-094-16**

Design Permit to demolish an existing residence and to construct a new, two-story residence with an attached Secondary Dwelling Unit in the R-1 (Single-Family Residential) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: Arthur Lin

Representative: Dennis Norton, filed: 3/6/17

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

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

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

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

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

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

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

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



**DRAFT FINAL MINUTES  
CAPITOLA PLANNING COMMISSION MEETING  
THURSDAY, APRIL 6, 2017  
7 P.M. – CAPITOLA CITY COUNCIL CHAMBERS**

**1. ROLL CALL AND PLEDGE OF ALLEGIANCE**

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

**2. ORAL COMMUNICATIONS**

- A. Additions and Deletions to Agenda – None**
- B. Public Comments – None**
- C. Commission Comments – None**
- D. Staff Comments – None**

**3. PRESENTATION**

**A. Capitola Branch Library Design - Public Works Director Steve Jesberg**

Public Works Director Steve Jesberg gave presentation on Capitola Branch Library Design.

**4. APPROVAL OF MINUTES**

**A. Planning Commission Minutes for the Regular Meeting of February 2, 2017**

<b>RESULT:</b>	<b>ACCEPTED [3 TO 0]</b>
<b>MOVER:</b>	Susan Westman, Commissioner
<b>SECONDER:</b>	Sam Storey, Commissioner
<b>AYES:</b>	Storey, Welch, Westman
<b>ABSTAIN:</b>	Smith, Newman

**5. CONSENT CALENDAR**

**A. 224 San Jose Avenue #16-108 APN: 035-184-07 and 035-184-01**

Design Permit and Conditional Use Permit for addition of two-car garage with second story living space on an existing single-family historic structure located in the CV (Central Village) Zoning District.

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

Environmental Determination: Categorical Exemption

Property Owner: Dennis Calvert

Representative: Dennis Norton, filed: 1/17/2017

224 San Jose Avenue was pulled from consent and heard before Item 6.A. under Public Hearings.

Minutes Acceptance: Minutes of Apr 6, 2017 7:00 PM (Approval of Minutes)



Senior Planner Herlihy gave the presentation on 224 San Jose Avenue. Commissioner Smith requested an additional condition that garage be used for parking of two vehicles in response to parking concerns raised by Albert Lee Strickland and Lynne Ann DeSpelder's letter addressed to the Planning Commission. Applicant representative Dennis Norton confirmed that the owner was agreeable to the new parking condition.

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

### **CONDITIONS OF APPROVAL**

1. The project approval consists of an addition of a new double car garage with living space on the second story attached to the historic residence at 224 San Jose Avenue. The project consists of constructing a 478 square-foot garage, a 33 square-foot connection on the first floor, and a 403 square-foot second-story living area above the garage. The maximum allowed lot coverage for properties in the Cherry Avenue residential overlay is 80% for an 1,800 square foot property (1,440 square feet). The total lot coverage of the project is 1,253 square feet. The project approval includes approval of a Design Permit and Conditional Use Permit. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on April 6, 2017, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans.
3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
4. At time of building permit submittal, a no-rise study and elevation certificate must be submitted to the Building Official's satisfaction.
5. At time of building plan submittal, the plans shall include language on the cover sheet referring to the property as an "Historic Resource", requiring review of all design revisions, and that the project should include notes that the existing historic elements are to be protected during construction.
6. At time of building plan submittal, the California State Historical Building Code shall be referenced in the architectural notes on the front page, in the event that this preservation code can provide support to the project design.
7. During excavation, if potential archeological resources are found, the excavation must halt immediately and the contractor must notify the City of Capitola immediately. Construction will not be permitted to resume until appropriate investigations, reporting, data recovery, and mitigation measures have been fulfilled to the satisfaction of the Community Development Director.
8. At the time of submittal for building permit review, Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP) shall be printed in full and incorporated

as a sheet into the construction plans. All construction shall be done in accordance with Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP).

9. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval and potentially a review by the Historic Architect for continued conformance with the Secretary of Interior standards.
10. Prior to making any changes to the historic structure, the applicant and/or contractor shall field verify all existing conditions of the historic buildings and match replacement elements and materials according to the approved plans. Any discrepancies found between approved plans, replacement features and existing elements must be reported to the Community Development Department for further direction, prior to construction.
11. Prior to issuance of building permit, a final landscape plan shall be submitted and approved by the Community Development Department. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of irrigation systems, if proposed. Native and/or drought tolerant species are recommended.
12. Prior to issuance of building permit, all Planning fees associated with permit #16-108 shall be paid in full.
13. Affordable Housing in-lieu fees shall be paid prior to issuance of building permit, in accordance with chapter 18.02 of the Capitola Municipal Code.
14. Prior to issuance of building permits, the building plans must show that the existing overhead utility lines will be underground to the nearest utility pole.
15. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Water District, and Central Fire Protection District.
16. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
17. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
18. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
19. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.

20. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
21. Prior to a project final, all cracked or broken driveway approaches or street edge shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches shall meet current Accessibility Standards.
22. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
23. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration, as well as a recorded deed reflecting the lot line adjustment. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
24. Prior to issuance of a building permit, the applicant shall submit evidence that a Certificate of Compliance to merge the two parcels has been recorded with the County Clerk.
25. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
26. Upon receipt of certificate of occupancy, garbage and recycling containers shall be shielded and placed out of public view on non-collection days.
27. The garage shall be used for the parking of 2 vehicles.

## **FINDINGS**

- A. **The application, subject to the conditions imposed, secures the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**  
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project secures the purpose of the Zoning Ordinance, General Plan, and Local Coastal Plan. The integrity of the historic resource will be maintained with the proposed garage and second-story living space.
- B. **The application will maintain the character and integrity of the neighborhood.**  
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the two-story addition off the rear of the historic

resource. The new garage and living space will not overwhelm the existing historic structure. The design does not compromise the integrity of the historic resource.

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

Section 15301) of the CEQA Guidelines exempts additions to existing structures. This project involves the addition of a new garage with second-story living space above located in the CV (Central Village) Zoning District. No adverse environmental impacts were discovered during review of the proposed project.

### **COASTAL FINDINGS**

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

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

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

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

- The proposed project is located at 224 San Jose Avenue. The home is not located in an area with coastal access. The home will not have an effect on public trails or beach access.

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

- The proposed project is located along San Jose Avenue and Cherry Avenue. No portion of the project is located along the shoreline or beach.

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

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

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

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

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



***use areas, and of any diminution of the quality or amount of recreational use of public lands which may be attributable to the individual or cumulative effects of the development.***

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

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

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

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

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

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

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

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

- The project contains a residential use.

***b. Topographic constraints of the development site;***

- The project is located on a flat lot.

***c. Recreational needs of the public;***

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

- d. Rights of privacy of the landowner which could not be mitigated by setting the project back from the access way or otherwise conditioning the development;***
- e. The requirements of the possible accepting agency, if an offer of dedication is the mechanism for securing public access;***
- f. Feasibility of adequate setbacks, fencing, landscaping, and other methods as part of a management plan to regulate public use.***

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

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

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

#### **SEC. 30222**

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

- The project involves a single family home on a residential lot of record, zoned CV (Commercial Village).

#### **SEC. 30223**

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

- The project involves a single family home on a residential lot of record, zoned CV (Commercial Village).

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

- The project involves a single family home, not a visitor-serving facility.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- Conditions of approval have been included to ensure compliance with applicable



erosion control measures.

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

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

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

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

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

- The proposed project complies with shoreline structure policies.

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

- This use is a principally permitted use consistent with the Central Village zoning district.

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

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

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

- The project site is located within the area of the Capitola Village parking permit area and complies with required parking.

<b>RESULT:</b>	<b>APPROVED AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Sam Storey, Commissioner
<b>SECONDER:</b>	Susan Westman, Commissioner
<b>AYES:</b>	Newman, Smith, Storey, Welch, Westman

**B. 1842 48th Ave #17-008 034-023-32**

Design Permit to remodel an existing single-family residence and construct a 546-square foot addition and a new 245 square foot garage, located in the R-1 (Single-Family Residential) zoning district.

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

Environmental Determination: Categorical Exemption  
Property Owner: Dent Organization, Inc.  
Representative: Robin Alaga, filed: 1/25/17

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

**CONDITIONS OF APPROVAL**

1. The project approval is for a remodel and 546 square foot addition to an existing single-story residence at 1842 48<sup>th</sup> Avenue. The maximum Floor Area Ratio for the 4,000-square foot property is 54% (2,160 square feet). The total FAR of the project is 43% with a total of 1,715 square feet of floor area, compliant with the maximum FAR within the zone. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on April 6<sup>th</sup>, 2017, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans.
3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
4. Affordable Housing in-lieu fees shall be paid prior to issuance of building permit, in accordance with chapter 18.02 of the Capitola Municipal Code.
5. Prior to issuance of building permits, the building plans must show that the existing overhead utility lines will be underground to the nearest utility pole.
6. At the time of submittal for building permit review, Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP) shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP).
7. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
8. Prior to issuance of building permit, a final landscape plan shall be submitted and approved by the Community Development Department. The landscape plan must be modified to include a two-foot planter strip along the driveway (§17.51.130). Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of irrigation systems, if proposed. Native and/or drought tolerant species are recommended.
9. Prior to issuance of building permit, all Planning fees associated with permit #17-008 shall be paid in full.

Minutes Acceptance: Minutes of Apr 6, 2017 7:00 PM (Approval of Minutes)

10. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Water District, and Central Fire Protection District.
11. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
12. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
13. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
14. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
15. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
16. Prior to a project final, the applicant shall be responsible for installing all required frontage improvements including curb, gutter, and sidewalk along 48<sup>th</sup> Avenue for the length of the property frontage, pursuant to section 12.04.170 of the Capitola Municipal Code. All sidewalks are to meet the standards for ADA accessibility.
17. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
18. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
19. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
20. Upon receipt of certificate of occupancy, garbage and recycling containers shall be shielded and placed out of public view on non-collection days.

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

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the proposed residential addition. The project, with the conditions imposed, conforms to the development standards of the R-1 (Single-Family Residential) zoning district and will carry out the objectives of the Zoning Ordinance, General Plan and Local Coastal Plan.

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

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project as designed maintains the character and integrity of the neighborhood. The residential addition is minor and will not drastically alter the appearance of the home.

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

Section 15303(a) of the CEQA Guidelines exempts the construction of single-family residences within a residential zone. This project involves the remodel and addition to an existing single-family residence located in the R-1 (Single-Family Residential) zoning district. No adverse environmental impacts were discovered during review of the proposed project.

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

**6. PUBLIC HEARINGS****A. 105 Sacramento Avenue #16-133 036-144-05**

Design Permit to demolish an existing residence and secondary dwelling unit and construction of a new two-story residence and attached secondary dwelling unit with variance requests for garage setbacks and driveway landscaping, located in the R-1 (Single-Family Residential) Zoning District.

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

Environmental Determination: Categorical Exemption

Property Owner: Lani and Tim Holdener

Representative: Derek Van Alstine, filed: 6/28/16

Commissioner Storey recused himself due to residing within the zone on Depot Hill and left the dais during the presentation.

Assistant Planner Safty presented project.

Applicant's representative Derek Van Alstine addressed the Commission regarding design challenges due to trees, tree roots, hedges, flag lot, setbacks and height limits and the need to have root mapping during construction with arborist on site. Mr. Van Alstine asked for allowance on height limit for room to lift the building--only if necessary, in case they can't get the foundation in over the roots as they have no way of knowing where the roots are until the house is demolished and they're able to map the roots. He also commented that this design reflects a big difference between the first design, which was previously approved, in response to addressing the neighbor's concerns.

Chris O'Connell, who lives at 106 Hollister Avenue, spoke against giving leeway, which would be asking for permission to go beyond what the actual plans say. He also asked who would determine if this would be necessary, someone they hire, or a third party? He is concerned about the trees as well as the root system that is very large and may jeopardize the rest of the trees and believes that they are historical trees and within the Coastal Commission's district. He is also wondering if the setback from the cliff due to recent erosion from the winter storms is still accurate and valid. He was wondering if there might be a request for a quick re-measurement to confirm that it is still a valid measurement.

Denise Ryan, a neighbor from 106 Hollister Avenue, addressed the Planning Commission regarding her concern over the design and a large window facing a wall in her home. She requested that the second-story windows be required to be opaque for privacy as they face into her home. She is also concerned about the asbestos that would be released during demolition of the siding and noted that asbestos is a known carcinogen that has been directly associated with many cancers. She would like to go on the record to say that the removal is closely regulated by the State of California and local governments and CalOSHA has specific references and standards for its removal, including a 100- to 150-foot radius that would need to be evacuated and notified before the removal. She strongly recommends building this in to the conditions or she will file complaint with CalOSHA.

Derek Van Alstine responded to the concerns: The Arborist recommended taking the middle tree out for safety reasons because he thinks the other two trees will be better off and they've gone to great lengths to save the other trees; as for the Geological setbacks, the geological report takes into consideration years like this, and dry years; most of the glass in the corner window has been moved to the other side of the house for a nice ocean view and the opaque windows are not needed as the neighbor does not have any windows on that side; and regarding asbestos he agreed that it is highly regulated and it will be abated properly, as required.

Commissioner Westman commended the designer for how well the building looks and stated that she would have no problem granting a variance for the garage and parking. She had no concern about the removal of the middle tree, or the asbestos removal due to the city regulating this and would be part of the building permit issued and construction plans. She sees no need for opaque windows since there is no privacy issue. While she did not know if they would be allowed to give the latitude to go above the 25 feet without a variance for the potential roots issue, but she would have no difficulty granting this request, if necessary.

Commissioner Smith agreed with Commissioner Westman, and asked staff if it would be possible to fast track a variance request for next meeting should it be needed.

Director Grunow confirmed that this would be possible, after complying with public notice timelines for the next available hearing.

Commissioner Welch stated that he felt that the applicant has gone out of their way to accommodate the neighbors and he supported the changes.

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

### **CONDITIONS OF APPROVAL**

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



8. Affordable Housing in-lieu fees shall be paid prior to issuance of building permit, in accordance with chapter 18.02 of the Capitola Municipal Code.
9. Prior to issuance of building permits, the building plans must show that the existing overhead utility lines will be underground to the nearest utility pole.
10. A certified arborist must be present on-site during any tree trimming or removal work done on the cypress trees. The arborist shall also be present during any root mapping for the new foundation.
11. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Creek Water District, and Central Fire Protection District.
12. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
13. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
14. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
15. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
16. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
17. Prior to a project final, all cracked or broken driveway approaches or street edge shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches shall meet current Accessibility Standards.
18. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.

19. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
20. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
21. Upon receipt of certificate of occupancy, garbage and recycling containers shall be shielded and placed out of public view on non-collection days.
22. The floor area for secondary dwelling units shall not exceed 524 square feet as approved by the Planning Commission.
23. At time of submittal for building permit review, a water letter for the second dwelling unit must be submitted.
24. Before obtaining a building permit for a secondary dwelling unit, the property owner shall file with the county recorder a declaration of restrictions containing a reference to the deed under which the property was acquired by the present owner and stating that:
  - A. The secondary dwelling unit shall not be sold separately;
  - B. The unit is restricted to the approved size;
  - C. The secondary dwelling unit shall be in effect only so long as the owner of record occupies either the main residence or the secondary dwelling unit;
  - D. The above declarations are binding upon any successor in ownership of the property. Lack of compliance shall be cause for code enforcement and/or revoking the administrative review or the architecture and site review permit, whichever applies;
  - E. The deed restrictions shall lapse upon removal of the secondary dwelling unit.

## **FINDINGS**

- A. **The application, subject to the conditions imposed, secures the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**  
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project, with the conditions imposed, secures the purpose of the Zoning Ordinance, General Plan, and Local Coastal Plan.
- B. **The application will maintain the character and integrity of the neighborhood.**  
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the application for a new two-story residence. The new home, with the conditions imposed, will maintain the character and integrity of the neighborhood.
- C. **This project is categorically exempt under Section 15303 of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.**



Section 15303(a) of the CEQA Guidelines exempts the construction of one single-family residence or secondary dwelling unit in a residential zone. This project involves the construction of a new, two-story single-family residence and attached secondary dwelling unit on a property in the R-1 (Single-Family Residential) Zoning District. No adverse environmental impacts were discovered during review of the proposed project.

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

The special circumstances applicable to the property is that the subject property is a flag-lot, is within the GH (Geologic Hazard) overlay zone which requires expanded setbacks from coastal bluffs, and has large cypress trees which the owner would like to preserve. Due to the location of the existing trees, the applicant proposed the garage and parking spaces within the access portion of the flag-lot. Most the access way is located within the required front yard setback. Due to the special circumstances associated with the flag-lot configuration, geologic setbacks, and trees, there is no alternative location for the garage and parking while also meeting setback requirements. The property cannot fit two feet of landscaping in between the neighboring property lines and access way. Most properties in the neighborhood are not located on a flag-lot and thus have more room to accommodate landscape strips. A variance has been granted to reduce setbacks associated with a detached garage and to waive the two-foot landscape strip requirement for parking within the front setback.

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

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

### **COASTAL FINDINGS**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

***a. The type of access potentially applicable to the site involved (vertical, lateral, bluff top, etc.) and its location in relation to the fragile coastal resource***

*to be protected, the agricultural use, the public safety concern, or the military facility which is the basis for the exception, as applicable;*

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

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

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

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

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

- The project is located on a residential lot.

*b. Topographic constraints of the development site;*

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

*c. Recreational needs of the public;*

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

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

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

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

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

***(coastal access requirements);***

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

***(D) (6) Project complies with visitor-serving and recreational use policies;*****SEC. 30222**

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

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

**SEC. 30223**

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

***(D) (18) Geologic/engineering reports have been prepared by qualified professional for projects in seismic areas, geologically unstable areas, or***

***coastal bluffs, and project complies with hazard protection policies including provision of appropriate setbacks and mitigation measures;***

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

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

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

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

- The proposed project complies with shoreline structure policies.

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

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

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

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

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

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

<b>RESULT:</b>	<b>APPROVED [4 TO 0]</b>
<b>MOVER:</b>	TJ Welch, Commissioner
<b>SECONDER:</b>	Linda Smith, Commissioner
<b>AYES:</b>	Newman, Smith, Welch, Westman
<b>RECUSED:</b>	Storey

## **B. Capitola Mall Redevelopment**

Director Grunow gave the presentation on the Capitola Mall Redevelopment Re-visioning Plan for a cohesive mall redevelopment plan, as previously directed by the Planning Commission. His presentation also included staff's response to comments made in two

letters received from Seritage Growth Properties (“Seritage”), and from Mr. Clark Morrison, an attorney from Cox, Castle & Nicholson, LLP, representing Seritage. Director Grunow presented multiple considerations for comprehensive mall redevelopment including adoption of temporary mall moratorium.

Clark Morrison spoke and introduced Blake Carroll, of Cypress Equities, who is working through various responses through the planning process.

Blake Carroll explained that he was here back in early December and currently has a re-submittal in to staff. The new application has addressed many of the concerns. As part of a phased approach, this could be considered phase I; as for environmental concerns also have a phase I and phase II and Sears responsibility to address environmental concerns. He wanted to go on record stating opposition to moratorium.

Brian Walsh spoke in support of plan and how does that align the interest of all the business owners and businesses. He would be willing to work with staff to make project easier to approve.

The Planning Commission discussed the alternatives relative to timing, the goals of the general plan, the need to coordinate long term planning in the area and multiple owners, coordination of a specific plan for the area, future of 40<sup>th</sup> Avenue, necessary guidance from City Attorney, and participation by Merlone Geier in the process. Ultimately, the Planning Commission continued the discussion.

MOTION: Continue discussion to next Planning Commission meeting in May to consider options to encourage comprehensive mall redevelopment consistent with adopted General Plan goals.

<b>RESULT:</b>	<b>CONTINUED [UNANIMOUS]</b>	<b>Next: 5/4/2017 7 PM</b>
<b>MOVER:</b>	Sam Storey, Commissioner	
<b>SECONDER:</b>	Susan Westman, Commissioner	
<b>AYES:</b>	Newman, Smith, Storey, Welch, Westman	

### C. Zoning Code Update All Properties within Capitola

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

The Zoning Code serves as the Implementation Plan of the City’s Local Coastal Program and therefore must be certified by the Coastal Commission.

Environmental Determination: Addendum to the General Plan Update EIR

Property: The Zoning Code update affects all properties within the City of Capitola.

Representative: Katie Cattan, Senior Planner, City of Capitola

MOTION: Recommend that the City Council review the draft zoning code and initiate the 60-day public review period.

<b>RESULT:</b>	<b>RECOMMEND [UNANIMOUS]</b>
<b>MOVER:</b>	Susan Westman, Commissioner
<b>SECONDER:</b>	TJ Welch, Commissioner
<b>AYES:</b>	Smith, Newman, Welch, Westman, Storey



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

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Jacqueline Aluffi, Clerk to the Commission



## STAFF REPORT

TO: PLANNING COMMISSION  
 FROM: COMMUNITY DEVELOPMENT  
 DATE: JUNE 1, 2017  
 SUBJECT: **210 Esplanade #17-058 APN: 035-221-08/09**

Sign Permit for wall sign and projecting sign for the Capitola Hotel located in the CV (Central Village) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: Corrie & Jeff Sid

Representative: FUSE Architects Inc., filed: 4/21/17

### **APPLICANT PROPOSAL**

The applicant is proposing a wall sign and a projecting sign for the Capitola Hotel located at 210 Esplanade in the Central Village (CV) zoning district. Planning Commission approval of a sign permit is required.

### **DISCUSSION**

The Capitola Hotel was recently acquired by new owners. The new owners are planning to give the hotel a fresh new look with new paint and updated signs. The existing hotel has three signs currently, one wall sign above the entrance into the hotel, a second wall sign within the courtyard, and a third sign incorporated into the arch of an arbor. The existing signs were approved in 2002. The applicant is proposing to remove the two existing wall signs and keep the arbor sign.

#### **Wall Sign**

The current application includes installation of a 14-square-foot wall sign of the new logo onto the second story. The logo will be made of raw copper with a natural patina finish and mounted directly to the wall. An existing up-light wall mount will illuminate the sign.

Pursuant to 17.57.070.B, wall signs are required to comply with the following underlined standards:

1. Each business shall be permitted only one wall sign.

Staff Analysis: The application includes one wall sign.

2. The size of each individual sign shall not be greater than one square foot of sign area for each one linear foot of business frontage.

Staff analysis: There are 30 linear feet of business frontage. The logo wall sign is 14 square feet.

3. No such sign, including any light box or other structural part, shall project more than twelve inches from the building face.

Staff analysis: The proposed sign will project a maximum of 1 inch from the building face.

4. Wall signs shall be mounted parallel to the building, unless otherwise approved by the planning commission.

Staff analysis: The sign will be mounted parallel to the building face.

5. No part of any such sign shall extend above the top level of the wall upon or in front of which it is situated. Any such sign which is suspended or projects over any public walkway or walk area shall have an overhead clearance of at least eight feet. No permanent sign may be erected over any publicly dedicated walkway or street contrary to the building code.

Staff Analysis: The wall sign will be mounted directly to the wall. The sign is proposed on the second story.

6. No such sign shall list the products to be sold or the services to be provided by any business.

Staff Analysis: The sign includes the business logo.

#### Projecting Sign

A projecting sign is proposed on the first story that is six square feet in size. The sign includes the hotel name and address. This sign will also be raw copper with routed out lettering. The sign will be backlit with internal lighting illuminating through the routed lettering. The projecting sign will hang from a bracket that projects four inches off the front façade of the building.

Projecting Signs are required to comply with the following underlined standards:

1. No such sign shall exceed sixteen square feet in area, except in residential zoning districts a projecting sign shall not exceed five square feet in area.

Staff Analysis: The sign is 6 square feet.

2. No such sign shall extend above the top level of the wall upon which it is situated.

Staff Analysis: The sign is located on the first level.

3. No such sign shall project more than two feet over any public property or pedestrian and vehicular easement.

Staff Analysis: The sign projects four inches from the building.

4. Each business shall be permitted one projecting sign.

Staff Analysis: Only one projecting sign is proposed.

5. An encroachment permit must be obtained for all signs projecting over a public right-of-way.

Staff Analysis. An encroachment permit is a condition of approval.

6. Any such sign that is suspended or projects over any public walkway or walk area shall have an overhead clearance of at least eight feet.

Staff analysis: The sign will not project over the public walkway. The sign will be located on the front façade in which there is an existing stone wainscot that extends four inches out below the sign. Also, the existing trim of the hotel entryway is located directly to the side of the proposed sign and extends eight inches forward from the front wall.

7. No such sign shall list the products to be sold or the services to be provided.

Staff Analysis: The sign includes the business name and address.

**CEQA**

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

**RECOMMENDATION**

Staff recommends that the Planning Commission approve the sign permit for application #17-058, based upon the following findings and conditions:

**CONDITIONS**

1. The project approval consists of a 14-square-foot wall sign and a six-square-foot projecting sign at the Capitola Hotel at 210 Esplanade. The existing wall signs on the front and side façade of the hotel will be removed. The Capitola Hotel lettering above the arbor will remain. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on June 1, 2017, except as modified through conditions imposed by the Planning Commission during the hearing.
2. The projecting sign may not expose any direct lighting or electrical. All electrical shall be concealed. The lettering on the projecting sign will be backlit. The letters shall be routed out and remain open.
3. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
4. Prior to issuance of building permit, all Planning fees associated with permit #17-058 shall be paid in full.
5. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
6. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official.  
§9.12.010B
7. Compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.

8. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
9. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.

### **FINDINGS**

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

Community Development Department Staff and the Planning Commission have reviewed the sign application and determined that the proposed signs will secure the purpose for the zoning ordinance and general plan.

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

Community Development Department Staff and the Planning Commission have reviewed the signs and determined that the signs maintain the character and integrity of the Central Village.

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

The signs are proposed on an existing hotel in the Central Village. No adverse environmental impacts were discovered during project review by either the Planning Department Staff or the Planning Commission.

### **ATTACHMENTS:**

1. 210 Esplanade Plans

Prepared By: Katie Herlihy  
Senior Planner

SIGN

SIGN PLAN



CAPITOLA HOTEL SIGNAGE  
210 ESPLANADE AVENUE CAPITOLA CA 95010  
APN: XX

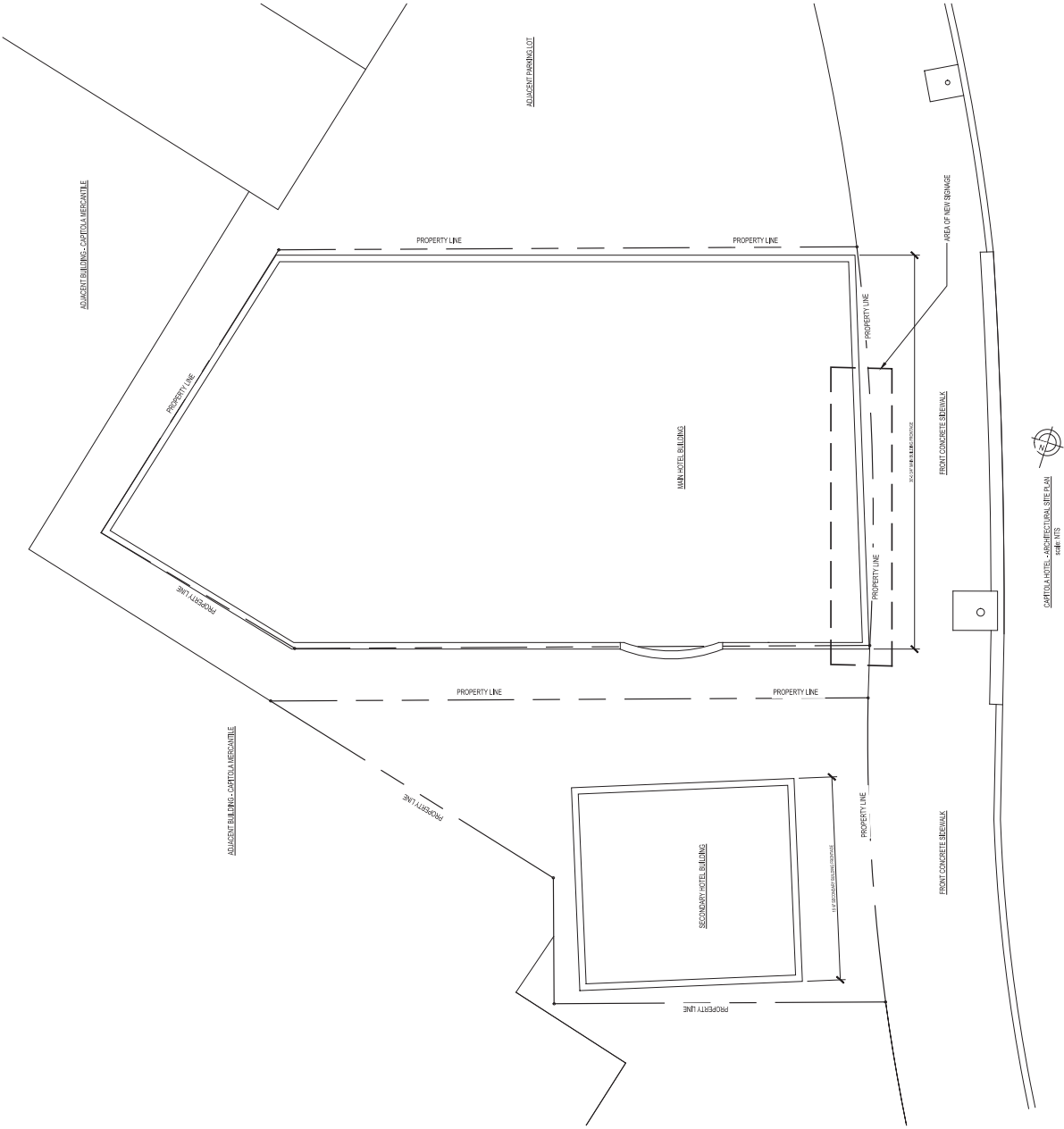


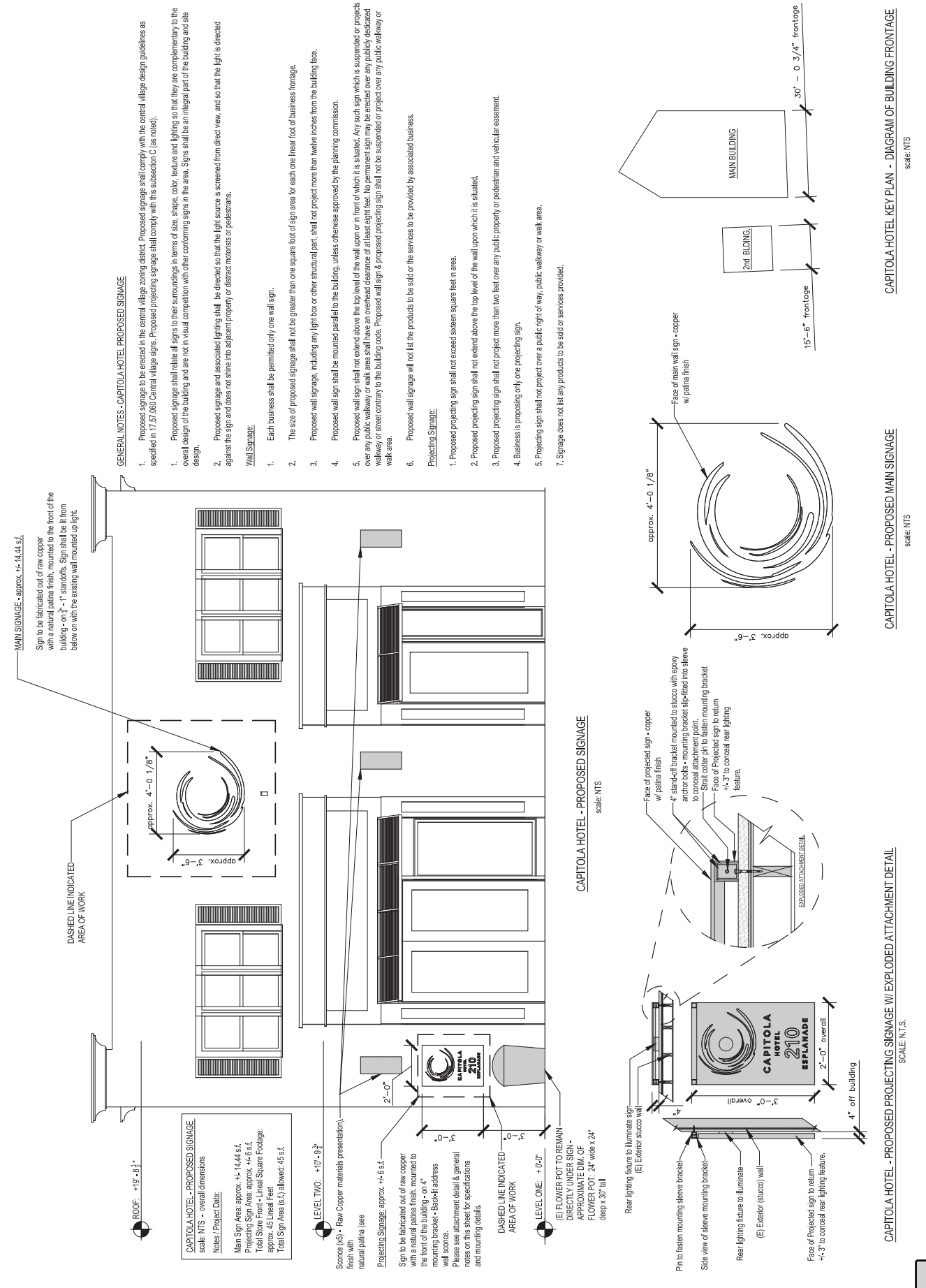
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CAPITOLA HOTEL







EXISTING EXTERIOR SIGNAGE - FACING ESPLANADE AVENUE



PROPOSED EXTERIOR SIGNAGE - FACING ESPLANADE AVENUE



PROPOSED EXTERIOR LIGHTING FIXTURES  
RAW COPPER FINISH



PROPOSED MAIN PAINT COLOR - KELLY MOORE "ACOUSTIC WHITE"



PROPOSED TRIM COLOR - KELLY MOORE "ZINC DUST"



EXTERIOR SIGNAGE MATERIAL - RAW COPPER FINISH  
WITH NATURAL PATINA







EXTERIOR SIGNAGE WITH EXISTING ADDRESS SIGN  
AT AREA OF PROJECTING SIGN  
OVERALL DIMENSIONS OF EXISTING ADDRESS SIGN:  
APPROX. 2.5' WIDE X 4" TALL - TO BE REMOVED



EXISTING MAIN SIGNAGE AT ESPLANADE FRONTAGE  
OVERALL DIMENSIONS: 4' X 10'  
TO BE REMOVED



EXISTING ARBOR SIGN AT COURTYARD ENTRY  
EXISTING TO REMAIN UNCHANGED  
OVERALL DIMENSIONS: APPROX. 8' WIDE X 12" TALL ON A CURVE



EXISTING STONE FACADE TO REMAIN. PROPOSED PROJECTING SIGNAGE TO BE  
LOCATED ABOVE EXISTING STONE - EXISTING STONE PROJECTS 4" INTO SIDEWALK  
SIDEWALK IS 10' WIDE OVERALL  
PROPOSED PROJECTING SIGNAGE TO PROJECT 4" OVERALL  
PROPOSED PROJECTING SIGN DOES NOT PROJECT FARTHER THAN EXISTING SIGN.



EXISTING EXTERIOR SIGNAGE - COURTYARD LOCATION  
TO BE REMOVED



## STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT

DATE: JUNE 1, 2017

SUBJECT: **203 & 205 Sacramento Avenue #17-043 & 44 APN: 036-125-03 & 15**

Major Revocable Encroachment Permit for a 42-inch fence and gate in the public right-of-way along Sacramento Avenue at two adjacent properties, located in the R-1 (Single-Family Residential) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: Nicholas Cierkosz

Representative: Anna Cierkosz, filed: 3/28/17

### **APPLICANT PROPOSAL**

The application is for a Major Revocable Encroachment Permit and Fence Permit for a 42-inch fence and rolling gate to be located within the public right-of-way in front of 203 and 205 Sacramento Avenue. The properties are in the R-1 (Single Family) zoning district.

### **BACKGROUND**

On August 12<sup>th</sup>, 2012, the property owners of 203 and 205 Sacramento Avenue received a Design Permit to construct new, two-story residences on each property. The construction of the homes is almost complete. On March 30<sup>th</sup>, 2017, the property owner submitted applications for a Fence Permit and Major Revocable Encroachment Permit for identical 42-inch tall fences and rolling gates to be installed in front of 203 and 205 Sacramento Avenue.

### **DISCUSSION**

The properties at 203 and 205 Sacramento Avenue are 40-feet wide and 100-feet deep. There is a 15-foot unimproved portion public right-of-way between the front property line and the pavement of Sacramento Avenue. The right-of-way is unutilized and the City does not have plans to widen Sacramento Avenue. Additionally, Sacramento Avenue is located within an area of the City which is exempt from curb, gutter, and sidewalk improvements.

The applicant is proposing to construct a 42-inch front-yard fence in front of each property within the Sacramento Avenue public right-of-way. The proposed front-yard fences would enclose a portion of the 15-foot public right-of-way along Sacramento Avenue and thus add to the front yard area of 203 and 205 Sacramento Avenue. To maintain continuity along the street, the Public Works Department added Condition of Approval #8, requiring that the new fences be constructed in-line with the existing neighboring fence to the south at 510 El Salto Drive. This

would place the fence location approximately 10 feet from the front property line, rather than the 15-feet shown in the plans.

The proposed fences would use one-inch by six-inch “Ipe” hardwood boards, which would be laid horizontally and have four-inch spacing in between each board for transparency into the yards. Along the middle of the fence would be a pedestrian gate of the same materials and design as the proposed fence. Attached to the opposite side of the pedestrian gate would be a mechanized rolling gate used for vehicular access into the property. The rolling gate would be composed of metal panels with a natural rust color and would be vertically oriented.

#### Major Revocable Encroachment Permit

Chapter 12.56 of the Capitola Municipal Code outlines the regulations for privately installed improvements on public property or easements. The code defines private improvement areas as, “that portion of any public street right-of-way in the City which is neither street system area nor shoulder parking area” (§12.56.050).

The City may issue permits to allow certain improvements to be installed and maintained by the private property owners within the private improvements area (§12.56.060). Minor Permits may be issued by the Public Works Director for mailboxes, standard fences, walkways, driveways, and certain types of landscaping. Major Permits, for improvements beyond those listed under the discretion of the Public Works Director, require approval by the Planning Commission. Due to the mechanized aspect of the rolling gate, the Public Works Director has determined that the proposal requires a Major Revocable Encroachment Permit.

The Planning Commission must evaluate the following considerations when deciding whether to issue a major permit:

1. The expense and difficulty that will be entailed in removing the improvement in the event of street widening;  
Staff analysis: Within the revocable/hold harmless agreement, the owner must agree that the removal of the fence, when so ordered by the City, shall be at the permittee’s expense and not the expense of the City.
2. Whether the proposed improvements are in conformity with the size, scale, and aesthetics of the surrounding neighborhood;  
Staff analysis: The proposed fences are of exceptional quality and will fit well with the aesthetics of the community. The fence heights comply with the front-yard height maximum of 42-inches. The approved fences will be in-line with the neighboring wooden fence to the south at 510 El Salto Drive.
3. Preservation of views;  
Staff analysis: Public views would not be impacted by the proposed 42-inch fences.
4. Whether granting the permit would tend to result in the granting of a special privilege, in the sense that granting this permit would tend to preclude granting similar permits to neighboring property. If the benefit to the applicant and community is determined to exceed the detriment to the community, the permit shall be approved. The planning commission may, by providing reasonable notice to neighboring property owners, develop standards or criteria applicable to the entire block within which the property is located.  
Staff analysis: Staff has not identified any potential detriments to the City or community that the proposed fences would create. On-street parking will not be affected by the

proposed fences. The proposed new fence and gate would be in line with the existing wooden gate with the neighboring property to the south at 510 El Salto Drive.

### **CEQA REVIEW**

Section 15303 of the CEQA Guidelines exempts accessory structures including fences. No adverse environmental impacts were discovered during review of the proposed project.

### **RECOMMENDATION**

Staff recommends that the Planning Commission **approve** applications #17-043 and #17-044 based on the following Conditions and Findings for Approval.

### **CONDITIONS OF APPROVAL**

1. The project approval consists of Major Revocable Encroachment Permit for two fences permanently affixed to the ground located approximately 10 feet in front of the property line into the public right-of-way at 203 and 205 Sacramento Ave.
2. There shall be no additional permanent structures located within the right-of-way without the issuance of a major revocable encroachment permit by the Planning Commission.
3. Prior to building permit issuance, a Major Revocable Encroachment Permit shall be recorded as issued by the Public Works Department.
4. Compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
5. Prior to issuance of permit, all Planning fees associated with permit #17-043 and #17-044 shall be paid in full.
6. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
7. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
8. The proposed fences shall be built in-line with the existing wooden fence at 510 El Salto Drive, approximately 10 feet into the public right-of-way.

### **FINDINGS**

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

Community Development Staff, and the Planning Commission have all reviewed the proposed fence in the public right-of-way. Conditions of approval have been included for the Major Revocable Encroachment Permit to carry out the objectives of the Zoning Ordinance,

General Plan and Local Coastal Plan.

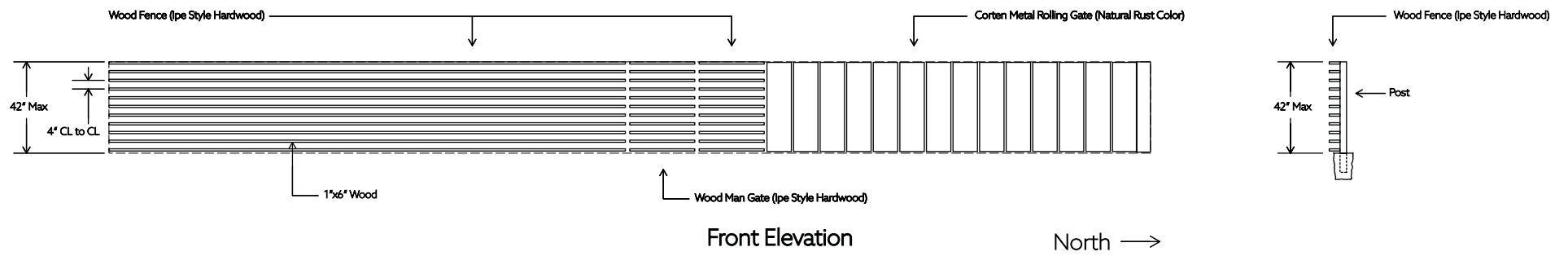
- B. This project is categorically exempt under Section 15303 of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.**

Section 15303 of the CEQA Guidelines accessory structures including fences. No adverse environmental impacts were discovered during review of the proposed project.

**ATTACHMENTS:**

1. 203 Sacramento Avenue Plans
2. 205 Sacramento Avenue Plans

Prepared By: Ryan Safty  
Assistant Planner





The site plan for the 203 Sacramento Residence shows a property with a dashed line indicating the 'PROPERTY LINE'. The existing structure includes a main building with a 48' x 4' section on the left, a 47.25' x 4' section on the right, and a central area with dimensions 7.7' x 7', 13.3' x 3.5', 13.3' x 3.5', 21' x 3.5', 38' x 3.5', 13.3' x 3.5', 13.3' x 3.5', 13.3' x 3.5', and 13.3' x 3.5'. A 4' path is shown leading to a 5x@3.8' x 3.5' area labeled 'artificial grass'. A 3' wide path (PA) is also indicated. The plan shows a 'wood fence' and a 'man-gate' at the bottom, with a 'rolling gate (to left)' also marked. A '15 ft encroachment' is noted near the bottom right, and an 'EXTENSION' is labeled at the very bottom.

**Fence Style:**

42" height, wood

**Gate:**

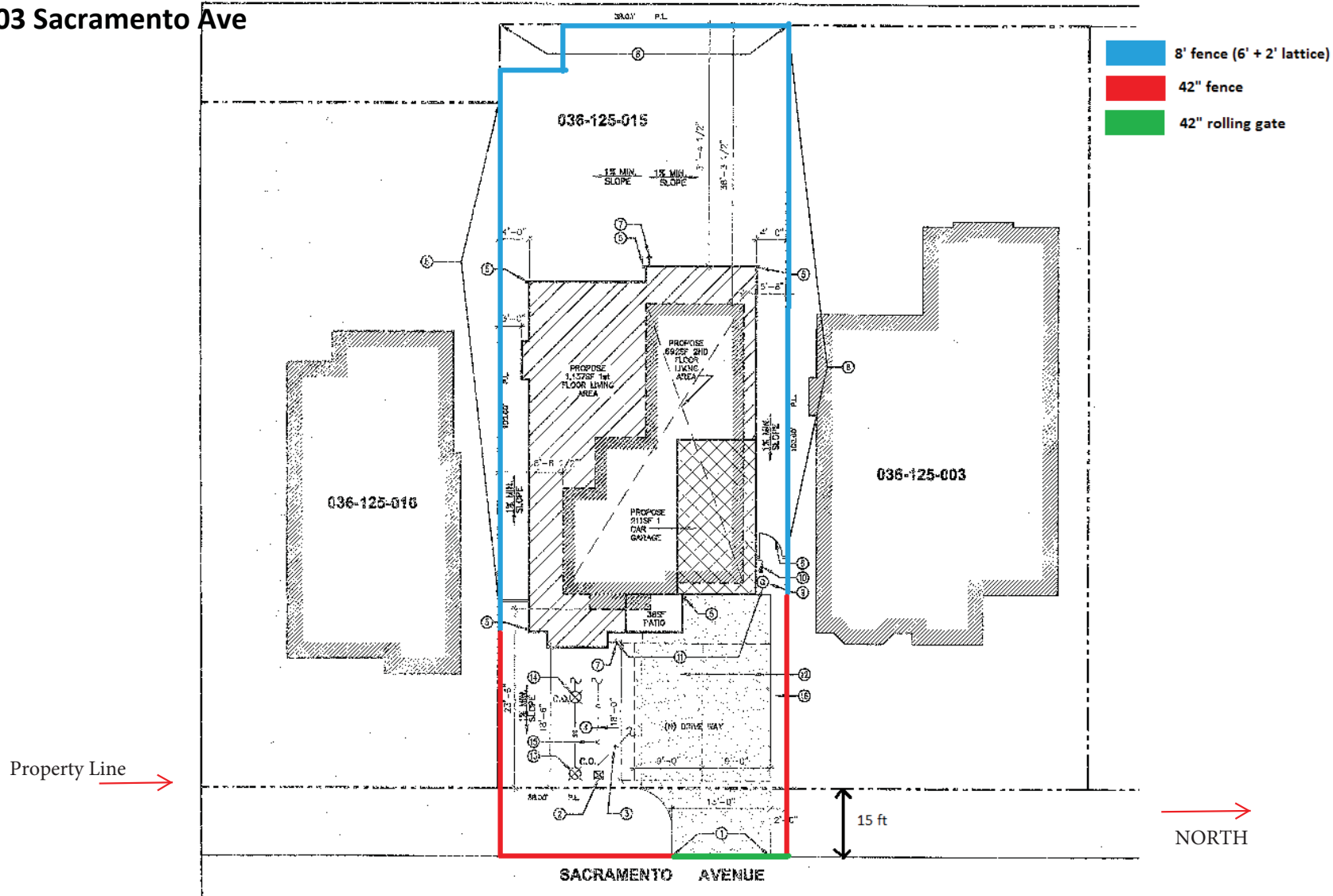
42" height, corten steel (rust)

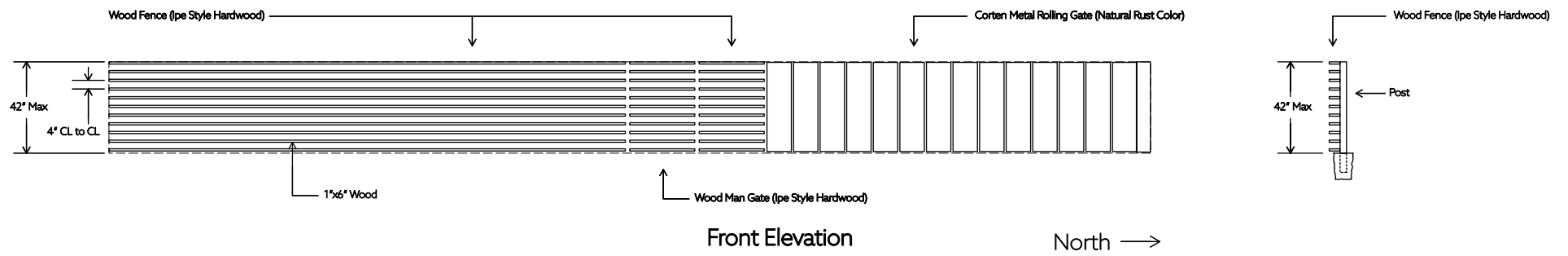




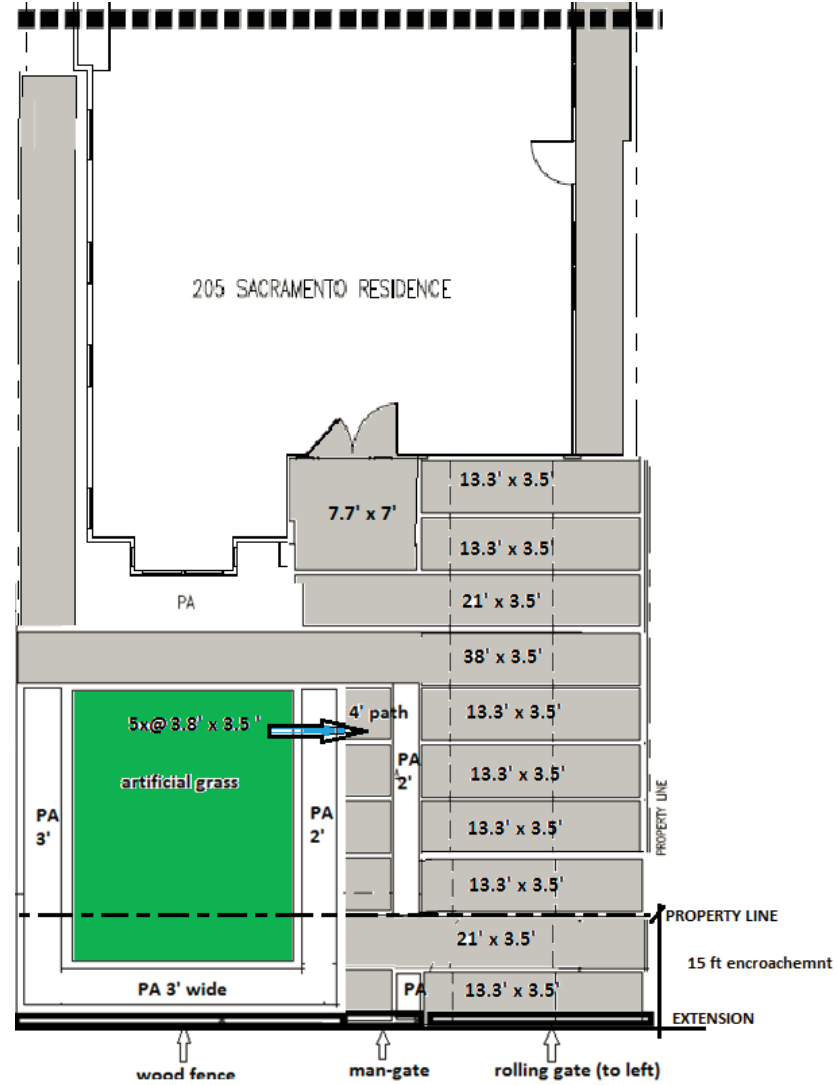


203 Sacramento Ave





Landscape: turf & drought resistant plants





**Fence Style:**

42" height, wood

**Gate:**

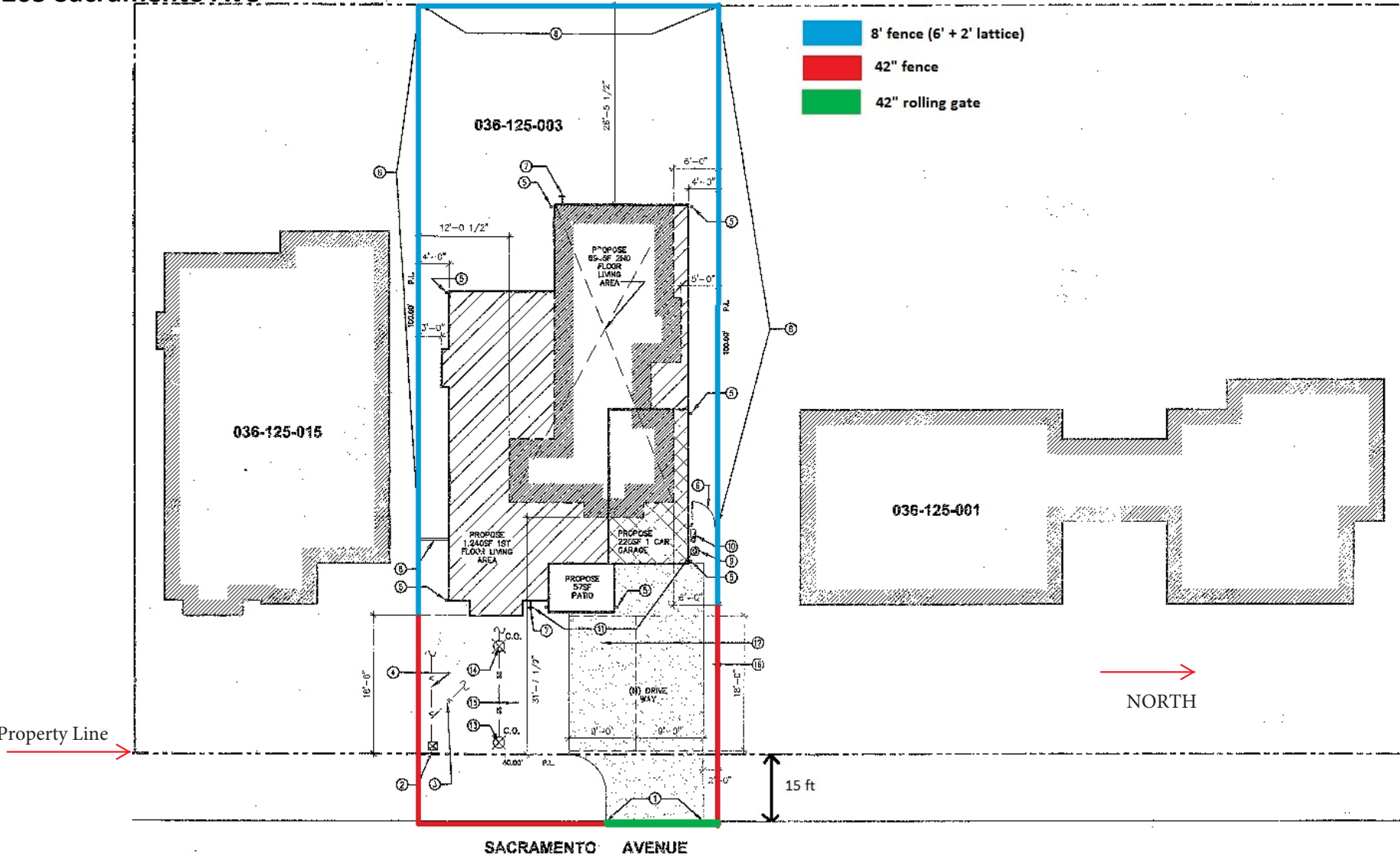
42" height, corten steel (rust)







205 Sacramento Ave





## STAFF REPORT

TO: PLANNING COMMISSION  
 FROM: COMMUNITY DEVELOPMENT  
 DATE: JUNE 1, 2017  
 SUBJECT: **212 Monterey Avenue #16-111 035-261-11**

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

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

Environmental Determination: Categorical Exemption

Property Owner: Joe Mingione

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

NOTE: Request for Continuance to July 20, 2017 Planning Commission Meeting

### **APPLICANT PROPOSAL**

The application is for a complete exterior remodel and minor addition to an existing, two-story fourplex. On May 4<sup>th</sup>, 2017, the Planning Commission reviewed the proposal and voted to continue the application to the June 1<sup>st</sup>, 2017 Planning Commission hearing. The applicant is requesting a continuation to the July 20<sup>th</sup>, 2017 Planning Commission hearing.

### **RECOMMENDATION**

Staff recommends the Planning Commission **continue** application #16-111 to the July 20<sup>th</sup>, 2017 Planning Commission meeting.

Prepared By: Ryan Safty  
 Assistant Planner



## STAFF REPORT

TO: PLANNING COMMISSION  
FROM: COMMUNITY DEVELOPMENT  
DATE: JUNE 1, 2017  
SUBJECT: **Capitola Mall Redevelopment - Request to Continue to July 20, 2017**

Prepared By: Katie Herlihy  
Senior Planner



## STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT

DATE: JUNE 1, 2017

SUBJECT: **2205 Wharf Road #16-041 APN: 034-141-34**

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

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

Environmental Determination: Categorical Exemption

Property Owner: Christopher Wright

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

### **APPLICANT PROPOSAL**

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

### **BACKGROUND**

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

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

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



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

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

The application was scheduled on the May 4, 2017 Planning Commission agenda. On May 2, 2017, the City received public comment from the law offices of Wittwer/Parkin representing the neighboring property owners of 2225 Wharf Road (Attachment 9). The letter identified two deficiencies in the lot design including (1) inadequate lot depth and (2) inadequate street frontage. The applicant requested a continuation to the June 1<sup>st</sup> Planning Commission meeting to address the two items. The subdivision has been redesigned to comply with the minimum 20 feet of street frontage and 100-foot minimum lot depth standards.

The applicant is in the process of updating fencing within the retaining wall and along the shared property line between 2205 and 2225 Wharf Road. The applicant plans to have the shared fence completely replaced by mid-June. As of May 23<sup>rd</sup>, one half of the fence had been replaced. The original fence was four and a half feet tall. The new fence will be six feet tall.

On May 25<sup>th</sup>, staff received a letter from the adjacent residents of Woosley Court regarding noise concerns and a request for a masonry wall (Attachment 10). The Woosley Circle Subdivision is an approved Planned Development composed of six single-family homes on 0.96 of an acre. Two of the homes are located along the shared property line with 2205 Wharf Road.

## **DISCUSSION**

### **Subdivision**

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

### Lot Area and Dimensions

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

Lot area and Dimensions	
Minimum lot area for a structure containing one or more dwellings units shall be 5,000 sf. Minimum lot width 50 feet; minimum lot depth 100 feet	
Code Requirements	Proposed
Lot Size: 5,000 sf minimum	Parcel A: 14,006.94 sq. ft. (triplex) Parcel B: 5,847 sq. ft. (single-family proposed)
Lot Width: 50 feet minimum	Parcel A: 80 ft. Parcel B: 56 ft.
Lot Depth: 100 feet minimum	Parcel A: 112 ft. Parcel B: 100 ft.
Site Area Per Dwelling Unit	
RM-LM: 4,400 sf per dwelling unit	Parcel A: Triplex. 13,200 sf minimum
SF: 5,000 sf per dwelling unit	Parcel B: Single-Family. 5,000 sf minimum

### Subdivision Design Standards.

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

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

Staff Analysis: The subdivision complies with the minimum area per dwelling unit, minimum lot width, and minimum lot length.

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

Staff Analysis: The lots are at right angles to the shared driveway access.

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

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

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

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

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

Staff Analysis: Each lot has at least 20 feet of frontage along Wharf Road.

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

Staff Analysis: Not applicable.

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

Staff Analysis: Not applicable.

### Development Standards Summary

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

Use		
<b>Proposed Use</b>		Single Family
<b>Principal Permitted or CUP?</b>		Principally Permitted
Development Standards		
Building Height	R-1 Regulation	Proposed
	25'	25'
Floor Area Ratio (FAR)		
<b>Lot Size</b>		5,847 sq. ft.
<b>Maximum Floor Area Ratio</b>		49 % (Max 2,865 sq. ft.)
First Story Floor Area		1,164 sq. ft.
Second Story Floor Area		880 sq. ft.
Garage		436 sq. ft.
<b>TOTAL FAR</b>		2,480 sq. ft.
Yards		
	R-1 Regulation	Proposed
<b>Front Yard</b> 1 <sup>st</sup> Story	15 feet	20 ft.
<b>Front Yard</b> Garage	20 feet	20 ft.
<b>Side Yard</b> 1 <sup>st</sup> Story	10% lot width Lot width <u>56</u> ft <u>5.7</u> ft. min.	8 ft.
<b>Rear Yard</b> 1 <sup>st</sup> Story	20% of lot depth Lot depth <u>94</u> ft <u>18.8</u> ft. min.	19 ft.
<b>Encroachments</b> (list all)	Rear and side yard decks on the ground level which are thirty inches or less above grade may encroach into the required setbacks; provided, that these features are setback at least three feet from the property line.	Deck in rear and side yard comply with height and 3 ft. setback requirement
Parking		
	Required	Proposed
<b>Residential (from 2,001 up to 2,600 sq. ft.)</b>	<u>3</u> spaces total <u>1</u> covered	<u>3</u> spaces total <u>2</u> covered <u>1</u> uncovered
<b>Underground Utilities: required with 25% increase in area</b>		Required

In establishing a minor land division, the existing structure onsite should remain in compliance with the development standards with the introduction of the new lots. The triplex located on

Parcel A, complies with all development standard of the RM-LM (Multi-family Low Density) zoning district with the proposed new property lines including height, lot coverage, setbacks, landscaping, open space, and parking requirements of the zone (Attachment 5). The owner removed a portion of an existing deck to comply with the setback standards.

### **Design Permit**

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

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

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

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

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

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

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

### **CEQA REVIEW**

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

conformance with the General Plan and Zoning. No adverse environmental impacts were discovered during review of the proposed project.

### **RECOMMENDATION**

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

1. The project approval consists of design permit for a new single family home and a minor land division at 2205 Wharf Road. The new single-family home in the RM-M zone is reviewed for compliance with the R-1 (single family) zoning district development standards. The maximum Floor Area Ratio for the 5,233 square-foot property is 49% (2,865 square feet). The total FAR of the project is 2,480 square-feet, compliant with the maximum FAR within the zone. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on June 1, 2017, except as modified through conditions imposed by the Planning Commission during the hearing.
2. The project consists of the subdivision of a 19,854 square foot lot into two lots. The minor land division will create a flag lot with shared driveway access. The tentative map identifies the front lot as Parcel B and the rear lot as Parcel A. Parcel A will be 14,006.94 square feet and Parcel B 5,847.31 square feet.
3. The applicant shall prepare a final parcel map by a registered civil engineer and shall submit the final map for review, approval, and recording by the City's surveyor and the Public Works Department. The parcel map shall include new legal descriptions.
4. Prior to recordation of the final parcel map, all plans and profiles of improvements shall be approved by the Director of Public Works and the construction of said improvements shall be in accordance with the City Specifications and shall be inspected by the Director of Public Works or his authorized agent, subject to fees appropriate for the services. Installation of a public sidewalk along Wharf Road is a required improvement. In lieu of installing this sidewalk the developer shall enter into a deferred improvement agreement with the City.
5. Prior to recordation of the final parcel map, a maintenance agreement and access easement for the shared driveway shall be recorded and referenced on the parcel map. The access easement must be reviewed and approved by the City attorney prior to recordation.
6. Available and necessary utilities, including CATV hookup facilities, with connections to each lot within the subdivision, shall be constructed in accordance with the utility's requirements. All utilities for the new single-family home on Parcel B shall be underground to the nearest utility pole.
7. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans.
8. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.

9. At the time of submittal for building permit review, Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP) shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP).
10. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
11. Prior to issuance of building permit, a final landscape plan shall be submitted and approved by the Community Development Department. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of irrigation systems, if proposed. Native and/or drought tolerant species are recommended.
12. Prior to issuance of building permit, all Planning fees associated with permit #16-041 shall be paid in full.
13. Prior to issuance of building permit, Affordable housing in-lieu fees shall be paid as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance.
14. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Water District, and Central Fire Protection District.
15. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
16. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
17. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan. Erosion and sediment control shall be maintained throughout the duration of the construction project.
18. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
19. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B



20. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
21. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
22. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
23. Upon receipt of certificate of occupancy, garbage and recycling containers shall be shielded and placed out of public view on non-collection days.

## FINDINGS

- A. **The application, subject to the conditions imposed, will secure the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**  
Community Development Department Staff and the Planning Commission have reviewed the project. The minor land division, together with the provisions for its design and improvement, is consistent with the objectives of the Zoning Ordinance and General Plan. The new single-family home complies with requirements of the zoning district
- B. **The application is consistent with the Subdivision Map Act and local Subdivision Ordinance.**  
The minor land division was designed in accordance with the Subdivision Map Act and local ordinances enacted pursuant thereto. Per the Subdivision Map Act, the proposed map is consistent with the General Plan, is physically suited for the proposed type and density of development, will not likely cause substantial environmental damage, or substantially and avoidably injure fish, wildlife or their habitats, will not cause serious public health problems, and will not conflict with public easements for access through, or use of, property within the proposed subdivision.
- C. **This project is categorically exempt under Section 15315 of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.**  
Section 15315 of the CEQA Guidelines exempts minor land divisions in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and Zoning.
- D. **The application will maintain the character and integrity of the neighborhood.**  
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the design of the single-family home. The structures fit within the built environment of the neighborhood. The neighborhood is

characterized by a mix of residential densities including single family homes, secondary structures, multi-family homes, apartments, and mobile homes.

**ATTACHMENTS:**

1. 2205 Wharf Road Plans
2. Driveway Easement
3. Soquel Creek Water District
4. Letter from Fire Marshal Mike DeMars
5. Santa Cruz County Sanitation District
6. Parcel A RM Development Standards
7. Letter to Planning Commission 2205 Wharf Road
8. Woolsey\_Letter\_2205\_Wharf

Prepared By: Katie Herlihy  
Senior Planner





SHEET  
OF 2  
SHEETS



## SOUTH



ELEVATIONS

NOTE:  = TEMPERED GLASS

 $1/4^{\circ}=1'-0''$ 

LOT B  
ELEVATIONS

DENNIS NORTON  
HOME DESIGN AND  
PROJECT PLANNING

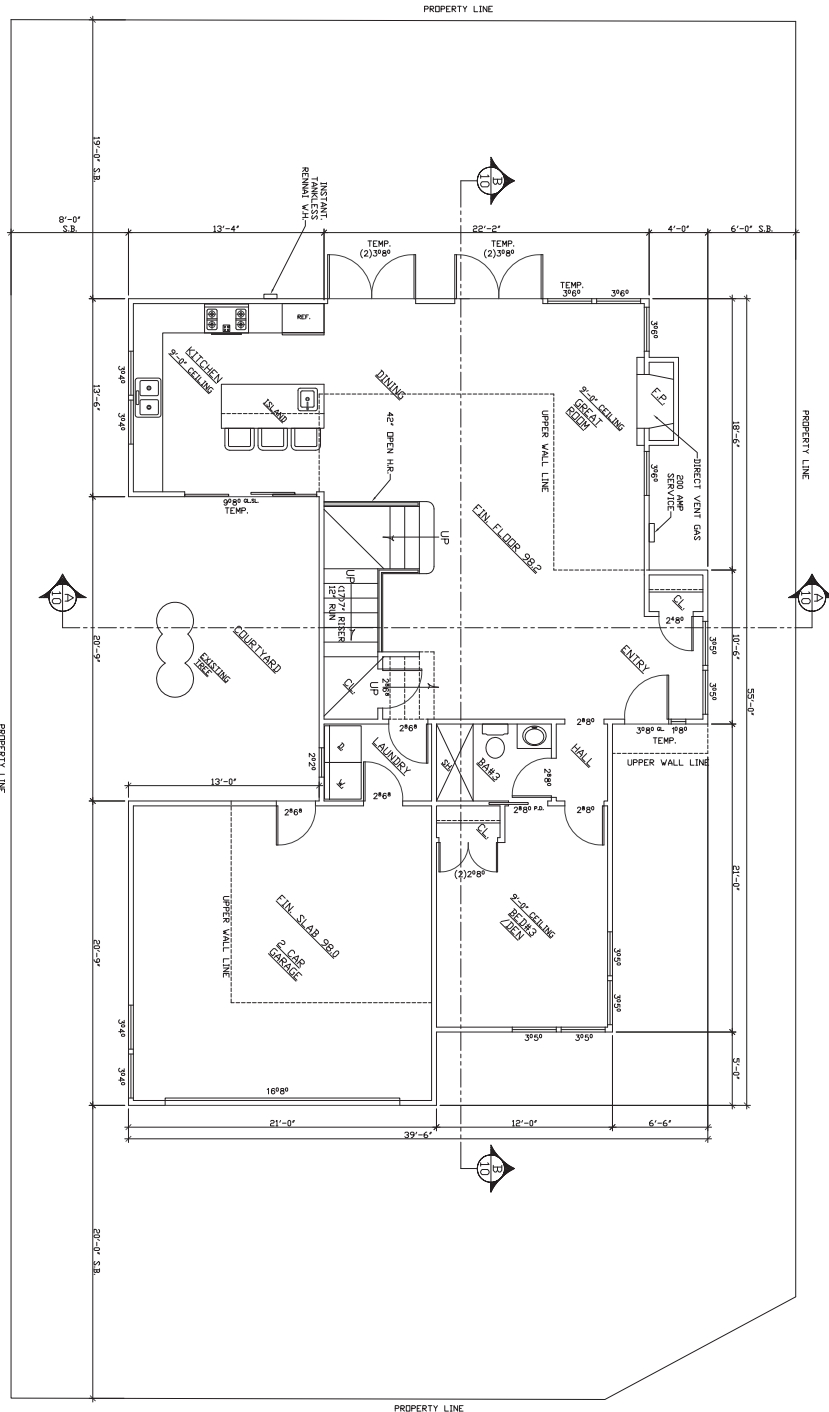
712 C CAPITOLA AV. CAPITOLA, CA 95010 • 831 476 2616  
FAX: 476 2616

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

**OWNER:**  
CHRISTOPHER & VIRGINIA BRIGHT  
2205 SOQUEL WHARF RD  
CAPITOLA, CA 95010

REVISIONS:	By
------------	----





MAIN LEVEL

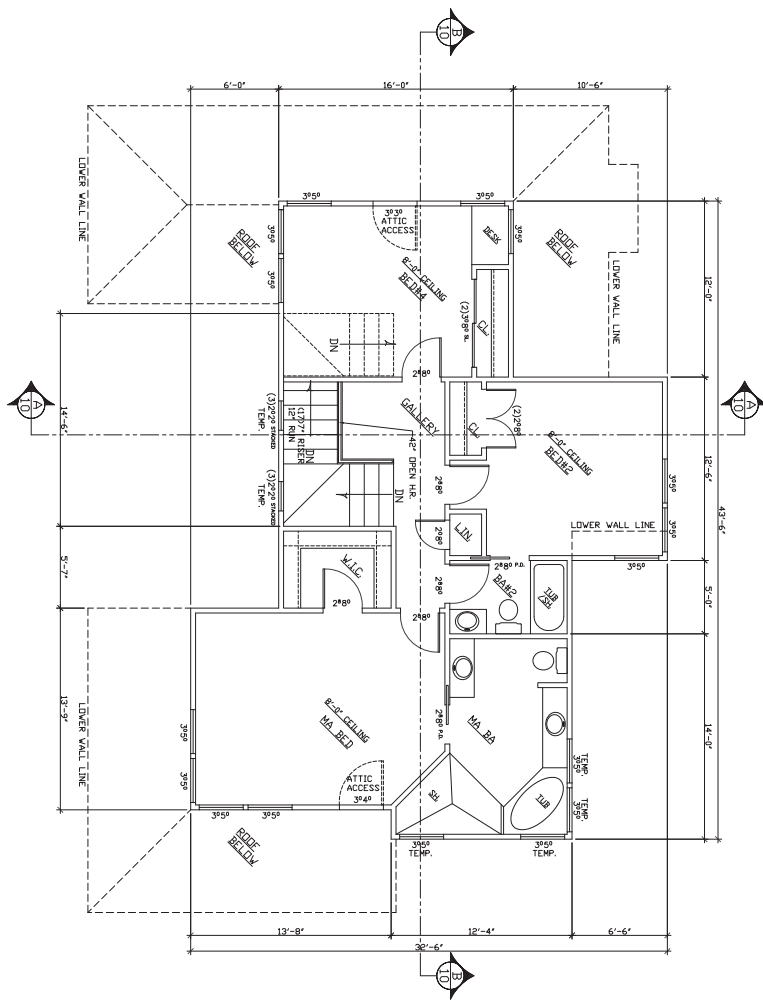
LIVING = 1164 SF  
DINING = 436 SF  
TOTAL LIVING = 1600 SF

FLOOR PLAN

1/4" = 1'-0"



SHEET 6	DATE 01/27/16	JOB NO. WHARF B	SCALE 1/4" = 1'-0"	DRAWN GG	LOT B PROPOSED 1ST FLOOR PLAN	DENNIS NORTON HOME DESIGN AND PROJECT PLANNING 712 C CAPITOLA RD. CAPITOLA, CA 95010 831 476 2616 FAX: 476 2616	WRIGHT RESIDENCE 2205 SOQUEL WHARF RD CAPITOLA, CA 95010 APN 034-141-34	OWNER WRIGHT RESIDENCE 2205 SOQUEL WHARF RD CAPITOLA, CA 95010	REVISIONS:
									BY



UPPER LEVEL

LIVING = 888 SF

FLOOR PLAN

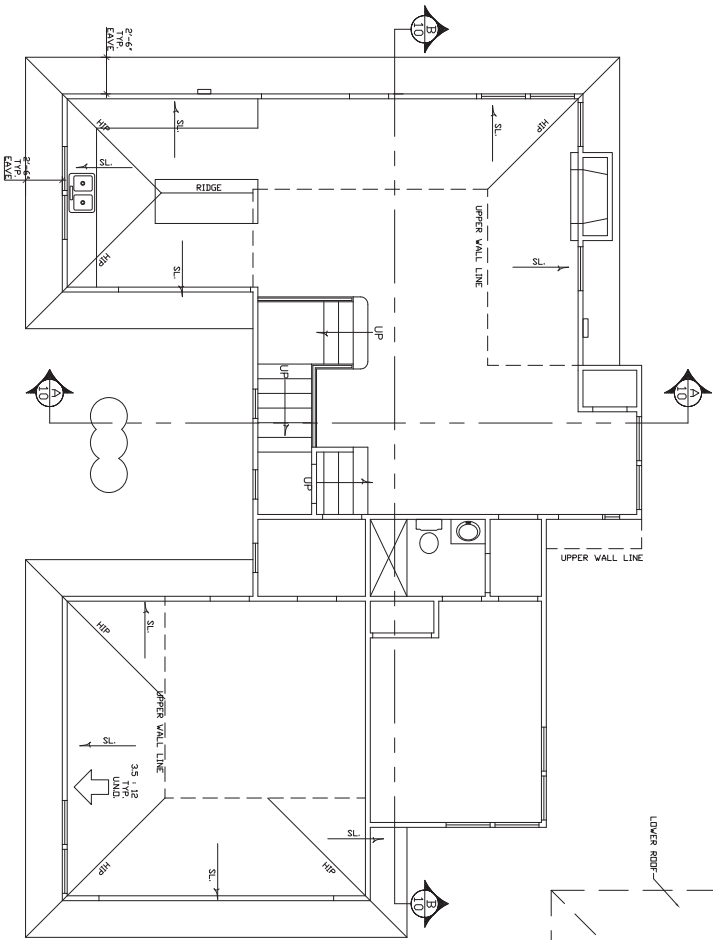
1/4" = 1'-0"



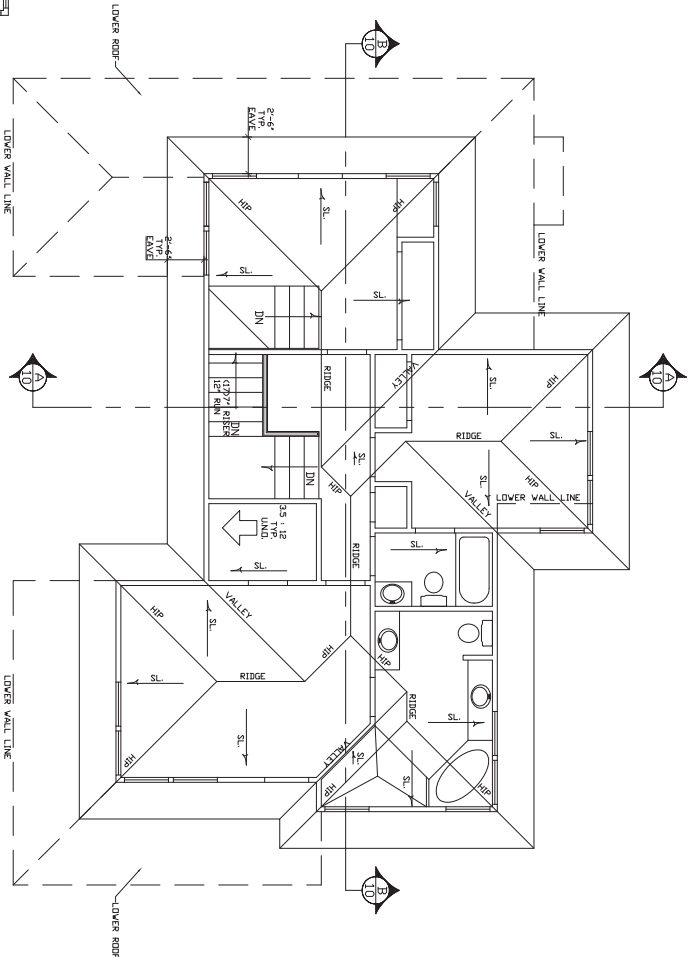
SHEET 5 OF 4 SHEETS	DATE 01/27/16	JOB NO. WHARF B	DRAWN GG	SCALE 1/4" = 1'-0"	LOT B PROPOSED 2ND FLOOR PLAN	DENNIS NORTON HOME DESIGN AND PROJECT PLANNING 712 C CAPITOLA RD. CAPITOLA, CA. 95010 831 476 2616 FAX: 476 2616	WRIGHT RESIDENCE 2205 SOQUEL WHARF RD CAPITOLA, CA 95010 APN 034-141-34	OWNER WRIGHT RESIDENCE 2205 SOQUEL WHARF RD CAPITOLA, CA 95010	REVISIONS:
									BY



LOWER LEVEL ROOF PLAN



UPPER LEVEL ROOF PLAN



ROOF PLAN



8  
SHEETS

DATE: 01/04/16  
SCALE: WHARF B  
SHEET

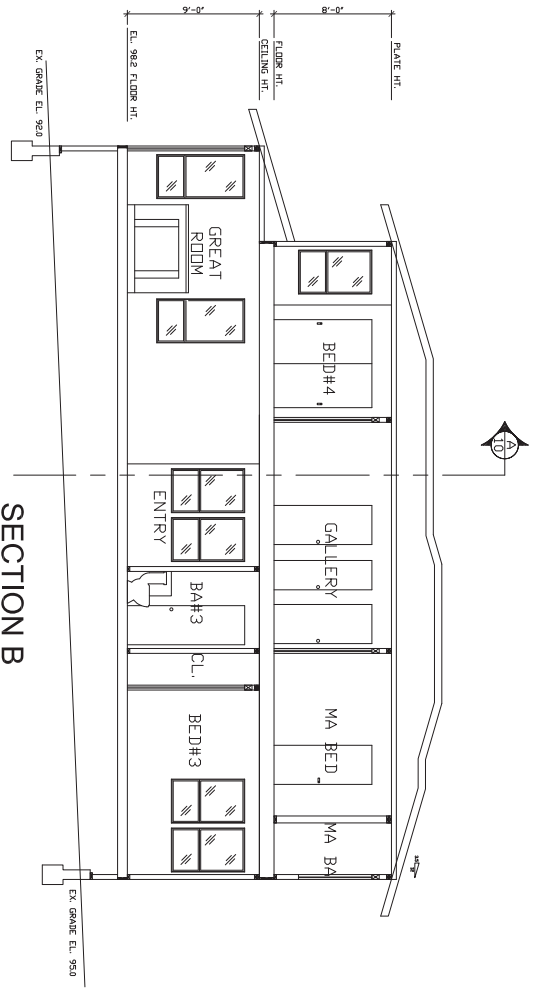
LOT B  
ROOF PLANS

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

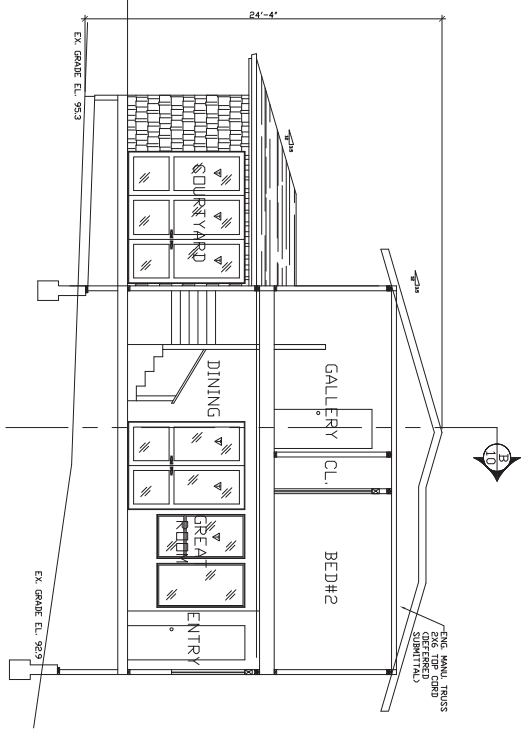
WRIGHT RESIDENCE  
2205 SOQUEL WHARF RD  
CAPITOLA, CA 95010  
APN 034-141-34

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

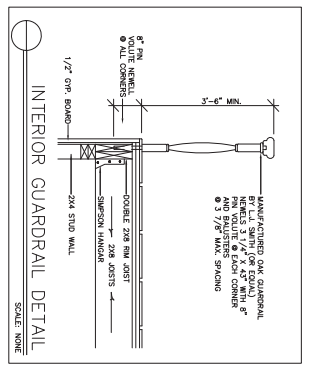
REVISIONS	BY



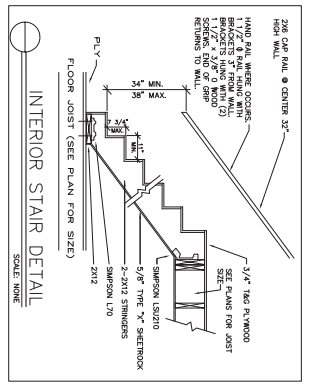
SECTION B



SECTION A



INTERIOR GUARDRAIL DETAIL



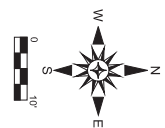
INTERIOR STAIR DETAIL

SECTIONS  
1/4"=1'-0"

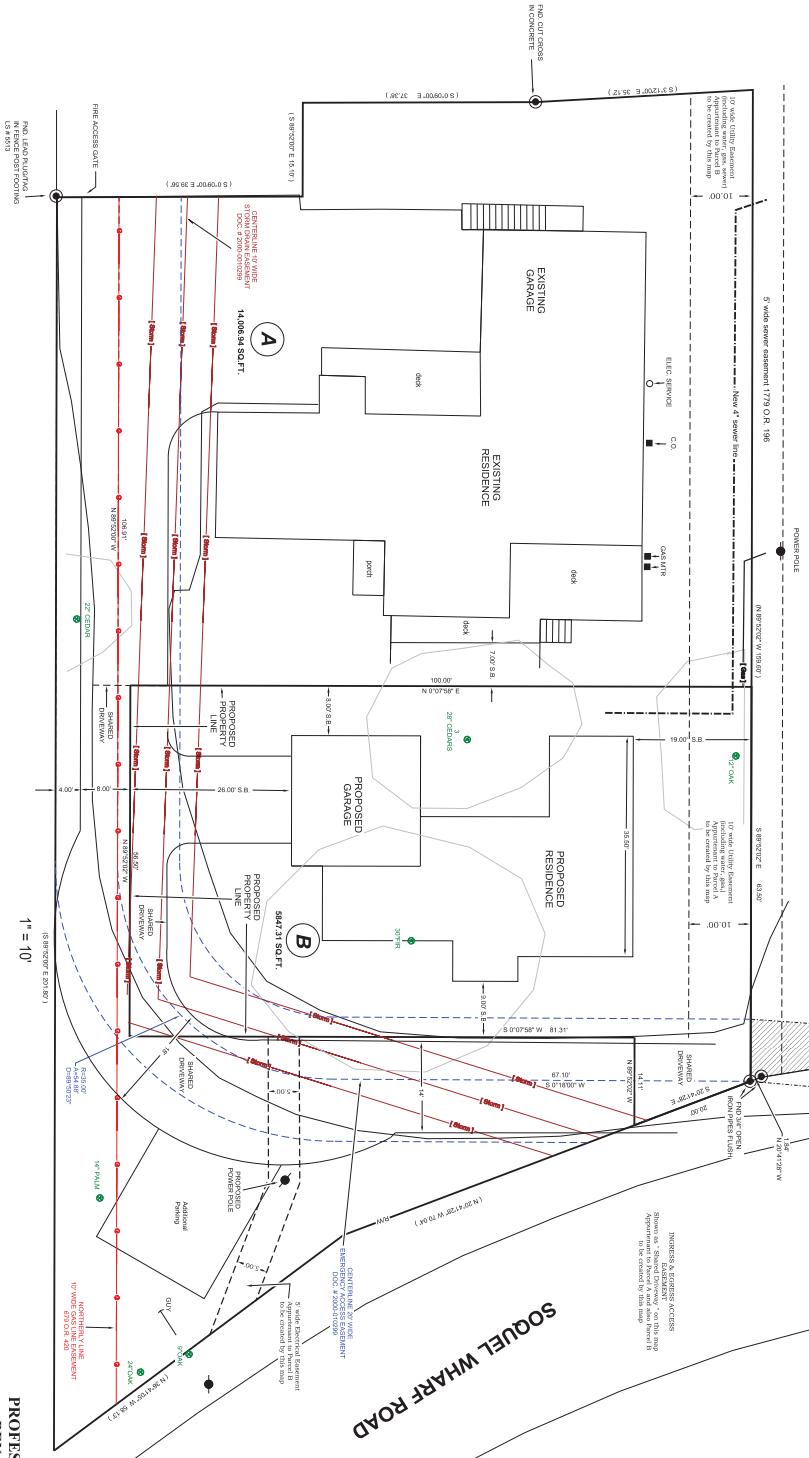




TENTATIVE MAP  
for a Minor Land Division  
of the Lands of  
**CHRISTOPHER L. & VIRGINIA B. WRIGHT**  
2205 SOQUEL WHARF ROAD  
Capitola, California 95010  
A.P.N. 034-141-34



**PROPOSED**  
**PARCEL (A) 14,006.94 SQ. FT.**  
**PARCEL (B) 5,847.31 SQ. FT.**



revised 2-4-17  
2-15-17  
5-6-17 lots reconfig.

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





VOL. 4231 PAGE 201

ESCROW NO. 801788 SW

## EXHIBIT "A"

The land referred to herein is described as follows:

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

PARCEL ONE:

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

PARCEL TWO:

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

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

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

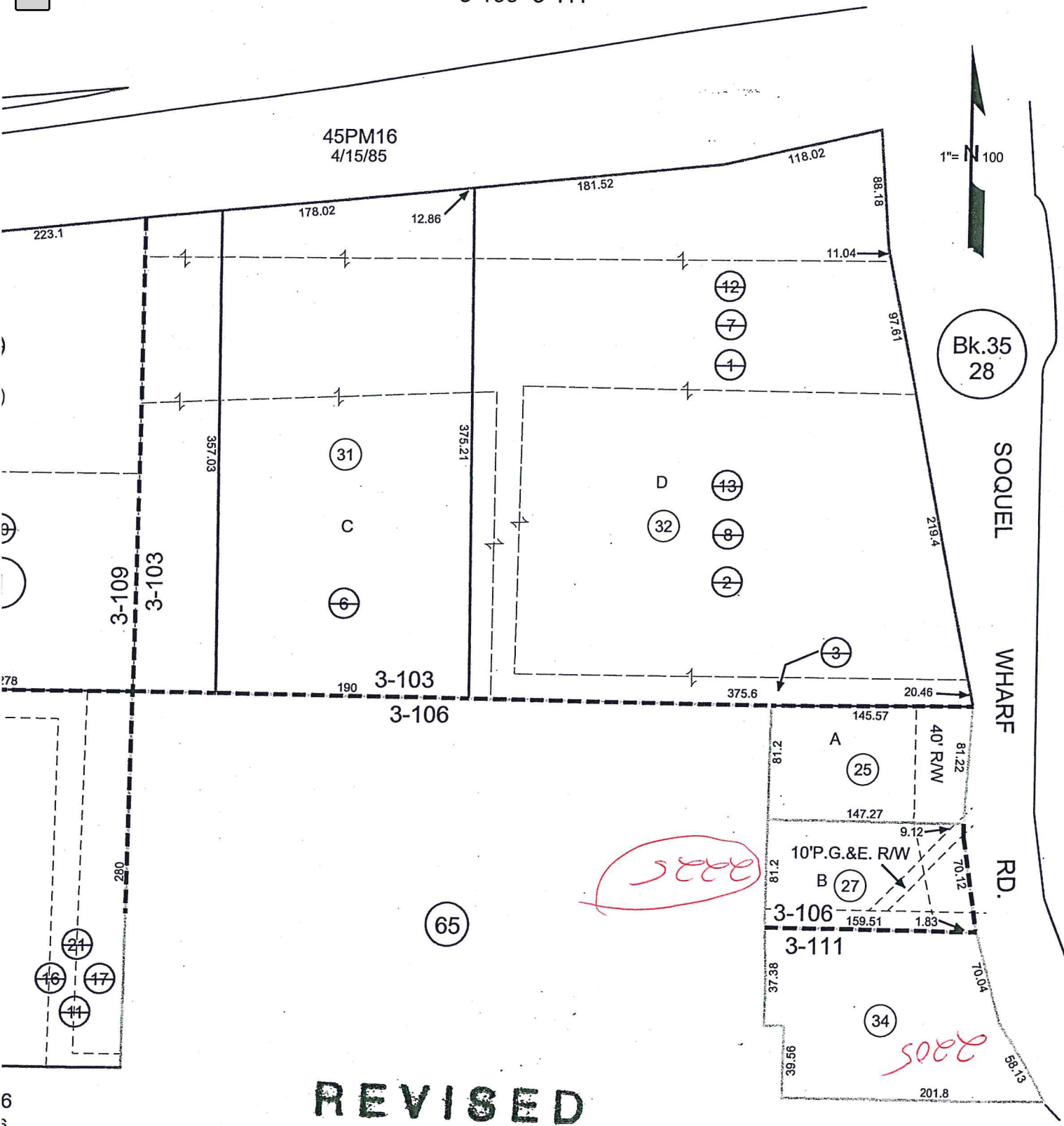
PARCEL THREE:

THE RIGHT TO USE THE FOLLOWING DESCRIBED EXISTING DRIVEWAY:

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

APN: 034-141-27

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



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

Assessor's Map No. 34-14  
City of Capitola  
County of Santa Cruz, Calif.

Block  
cles.

**Board of Directors**

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

Ron Duncan, General Manager

January 20, 2017

Christopher Wright  
2205 Wharf Road  
Capitola, CA 95010

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

Dear Mr. Wright:

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

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

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

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

Sincerely,  
SOQUEL CREEK WATER DISTRICT



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



# CENTRAL FIRE PROTECTION DISTRICT

of Santa Cruz County  
Fire Prevention Division

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

September 1, 2016

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

Katie,

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

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

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

Mike DeMars – Fire Marshal

Attachment: Letter from Fire Marshal Mike DeMars (1868 : 2205 Wharf Road)





# Santa Cruz County Sanitation District

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

JOHN J. PRESLEIGH, DISTRICT ENGINEER

January 23, 2017

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

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

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

PARCEL ADDRESS: 2205 WHARF ROAD, CAPITOLA

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

Dear Mr. Wright:

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

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

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

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

MR. CHRISTOPHER WRIGHT  
PAGE 2

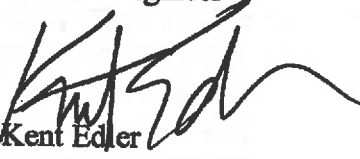
Also, for your reference, we have attached a list of common items required during the review of sanitation projects.

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

Yours truly,

JOHN J. PRESLEIGH  
District Engineer

By:

  
Kent Edler  
Sanitation Engineer

BH:tlp/490



## Common Items Required During the Review of Sanitation Projects

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

### On the plot/site/utility plan:

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

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

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

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

### On a floor plan:

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

(Sanitation District Code sections 7.04.040 and 7.04.430)

### Design and Construction Standards

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

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

### New Connection

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

### Tentative, parcel, or final map required

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

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

### Multi-unit development with a private collector line

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

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

**Backflow prevention device**

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

**Pre-escrow or Pre-transfer Cleanout and Overflow devices**

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

**Pre-escrow plumber's inspection of existing lateral**

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

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

## Existing Triplex on Parcel A and Development Standards or RM-M Zone

Site Area per dwelling unit		
Lot Size		Parcel A: 14,006 sf
Minimum area per unit: 4,400 sf		4,400 sf per unit
Triplex		13,200 sf minimum
Development Standards		
Height	30 ft	23 ft
Lot Coverage	40% (5,941 sf)	2,535 sf
Front yard, First story	15 ft	25 ft
Front yard, Garage	20 ft	68 ft
Front Yard, Second Story	15 ft + 2% of lot depth	25 ft
Side Yard, First story	10% of lot width (9ft minimum)	9 ft
Side Yard, Second story	12% of lot width (11' minimum)	n/a
Encroachments	Decks may encroach 2 ft.	Deck encroaches 2 ft.
Landscaping and Open Space		
Landscaping: Screen planting and additional landscaping shall be encouraged in all yard areas to insure privacy for all residents.		The private open space for each unit is defined by either a fence or a deck.
Usable open space: Not less than 50% of the required rear yard shall be developed as usable open space, fully landscaped and accessible to the residents of the structure on the site. The least dimension of this usable open space shall be fifteen feet. Fully developed roof terraces and roof gardens shall be allowed to provide up to one-half the area of usable open space.		The rear yard is shared usable open space for use by all tenants.
Private open space: Minimum private open space in the form of screened terraces, decks or balconies shall be provided as follows: 1. Not less than fifty percent of dwelling units shall be provided with individual open space; 2. Each private open space shall have a minimum area of forty-eight square feet, with a least dimension of four feet.		All units have private open space.
Parking		
	Required	Proposed
Triplex	<u>2</u> spaces per unit <u>1</u> covered <u>1</u> uncovered	<u>9</u> spaces total <u>3</u> covered <u>6</u> uncovered
Garage and Accessory Bldg.		
Garage	Complies	
Accessory Building	N/A	
Underground Utilities: required with 25% increase in area		N/A

wittwer / parkin

May 2, 2017

**VIA EMAIL**

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

**Re: Planning Commission Meeting May 4, 2017  
Item 4B: 2205 Wharf Road #16-041, APN 034-141-34**

Dear Chair Newman and Members of the Planning Commission:

This law firm represents Peter and Melody Taylor, residents of 2225 Wharf Road. Mr. Taylor has previously voiced concerns over the proposed minor land division to create two lots of record for property located at 2205 Wharf Road. We request this item be removed from the consent calendar for separate review and consideration in light of the comments contained herein.

The application at issue proposes to create two lots of record from a single lot, Parcel A and Parcel B. Parcel A is currently developed with a triplex. The application proposes a single-family residence on Parcel B. Pursuant to Capitola Municipal Code Section 17.18.090 Lot area and dimensions, the minimum lot depth is 100 feet. As proposed, Parcel B has a lot depth of only 94 feet. The site depth for the proposed Parcel B does not meet lot area minimum standards as the lot depth is six (6) feet less than what is required. Therefore, the land division cannot be approved.

The proposed minor land division also fails to satisfy the City's Subdivision Design Standards. Capitola Municipal Code Section 16.24.170(E) sets forth: "Lots without frontage on a dedicated public street of twenty feet or more **will not be permitted.**" (Emphasis Added). The Staff Report's analysis provides:

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

The minor land division would create two lots of record, one of which would be without frontage on a dedicated public street of twenty feet or more. Pursuant to the Capitola Municipal Code, this is not permitted. There is no discussion in the Staff Report of any authority which would allow the applicant to circumvent this clear prohibition set forth in the Municipal Code.

Attachment: Letter to Planning Commission 2205 Wharf Road (1868 : 2205 Wharf Road)

Planning Commission of the City of Capitola  
2205 Wharf Road  
May 2, 2017  
Page 2

Finding B of the Staff Report states: “The application is consistent with the Subdivision Map Act and local Subdivision Ordinance.” However, this finding simply cannot be made because the application facially violates the Subdivision Ordinance of the Capitola Municipal Code by creating a flag lot without frontage onto a dedicated public street.

The minor land division will also unjustifiably exacerbate access issues along the shared roadway for the Taylor family. As explained above, the minor land division will create a flag lot in violation of the City’s Subdivision Ordinance, and the City may not unduly overburden the shared roadway by approving a minor land division that fails to satisfy the City’s own subdivision standards. While use and enforcement of private easement issues may be a civil matter, the City may not be complicit in overburdening use where such use does not comport with the City’s own Code.

This proposed minor land division violates the City’s Subdivision Ordinance and the Planning Commission cannot approve this application for this reason. The division does not comport with City Code and would exacerbate a current safety issue associated with access to Wharf Road.

Very truly yours,  
WITTWER PARKIN LLP



Pearl Kan

cc: Katie Herlihy, Senior Planner  
Rich Grunow, Community Development Director

Attachment: Letter to Planning Commission 2205 Wharf Road (1868 : 2205 Wharf Road)



May 23rd, 2017

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

Dear City of Capitola Planning Commission,

As neighbors, we would like to express our concerns with the development of 2205 Wharf Road. We ask you to consider our quality of life issues as we fear the noise levels will continue to rise with further development at the property.

Recently, the new owner at 2205 Wharf Road has turned the main residence into a triplex of rentals. Since the completion of the additional rentals, the noise coming from 2205 Wharf Road has significantly increased from years past. With the current proposal to remove trees and build another two-story home, the noise will be even worse. The proposal creates double the noise from previous years and the views of natural trees will be replaced with structures, vehicles and an increase in people.

With the doubled occupancy, the vehicular, pedestrian and residential noise will increase causing our quality of life to decline. Each week, we will have to hear twice as many garbage cans being rolled up and down the hill. Due to in and out traffic, we will have to hear vehicles start up in the early morning hours or return home very late at night, we estimate a potential of 12 vehicles! We will hear multiple garage doors open and close with car doors slamming while more vehicles shine their headlights onto our homes causing light to come into the windows.

Currently, there is a seven-foot fence (measured from the Woolsey property), with quarter inch gaps between the boards that separates the two properties. We feel this is not enough to mitigate the sound and aesthetic issues. If you decide that our concerns are not enough to cease development and decide to move forward and approve the development, we ask the owner and commission consider our quality of life concerns and mitigate these issues. We request a masonry wall replace the fence from end to end of the 2205 Wharf Road property, separating the two properties. The masonry wall should be the same height as the seven-foot fence as previously approved and installed by a licensed contractor. With the replacement, Woolsey residents would be willing to share future maintenance costs.

We believe there is an adequate nexus for the homeowner to build a masonry wall to mitigate the burden placed on the Woolsey residents due to development.

SIGNED BY HOMEOWNERS:

**Joe and Mara Palandrani**

4709 Woolsey Circle

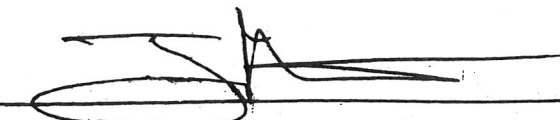
4741 Woolsey Circle – Andrew & Rachel West



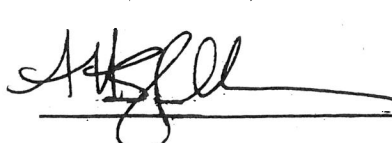
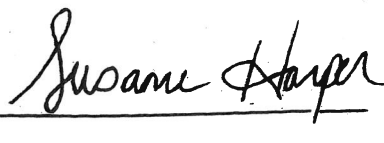
4717 Woolsey Circle – Mark McCullough



4725 Woolsey Circle – Brandee Allen



4701 Woolsey Circle – Travis & Margo Huntsmar

4733 Woolsey Circle – Amy & Susanne Harper

Attachment: Woolsey\_Letter\_2205\_Wharf (1868 : 2205 Wharf Road)





## STAFF REPORT

TO: PLANNING COMMISSION  
 FROM: COMMUNITY DEVELOPMENT  
 DATE: JUNE 1, 2017  
 SUBJECT: **312 Park Avenue #17-027 036-094-16**

Design Permit to demolish an existing residence and to construct a new, two-story residence with an attached Secondary Dwelling Unit in the R-1 (Single-Family Residential) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: Arthur Lin

Representative: Dennis Norton, filed: 3/6/17

### **APPLICANT PROPOSAL**

The applicant is proposing to build a new, two-story single-family residence and attached secondary dwelling unit on the ground floor at 312 Park Avenue. The subject property is located along Park Avenue, within the R-1 (Single-Family Residential) zoning district.

### **BACKGROUND**

The subject property is located along the north side of Park Avenue. The parcel is relatively flat and regularly shaped. The existing structure and property have not been maintained in the past and have created safety concerns. In 2015, the Building Department condemned the property and issued a notice to abate all substandard conditions. The building today is boarded up so that no one may enter the structure. In addition to the existing structure, the front, side, and rear yard areas of the property were extremely overgrown with vegetation. The property was sold in 2016. The new owners received a demolition permit on February 7<sup>th</sup>, 2017, and a Tree Removal Permit to remove 19 Cypress trees throughout the property on March 1<sup>st</sup>, 2017. The existing residence has not been demolished, but the 19 trees have already been removed.

The Architectural and Site Review Committee reviewed the application on April 12<sup>th</sup>, 2017 and provided the applicant with the following direction:

Public Works Representative, Danielle Uharriet: directed the applicant to submit a site drainage plan and to show the location of downspouts on the site plan, and to design the driveway cut in accordance with the City's planned sidewalk improvements along the north-side of Park Avenue.

Building Official, Brian Van Son: informed the application that a firewall is required between the secondary dwelling unit and main residence, and that the front door of the secondary dwelling unit must meet the required width for egress.

Local Architect Group, FUSE Architects Inc.: appreciated the design.

City Planner, Ryan Safty: directed the applicant to resubmit plans showing four on-site parking spaces and that a driveway width exception is required for the proposal.

Following the Architectural and Site Review Committee hearing, the applicant submitted revised plans which addressed the concerns of the committee, along with a written request for an exception to the maximum driveway width (Attachment 2).

### **ZONING SUMMARY**

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

#### **R-1 (Single Family Residential) Zoning District**

Use			
Existing Use		Single-Family Residential	
Proposed Use		Single-Family + 2 <sup>nd</sup> unit	
Principal Permitted or CUP?		Principal Permitted	
DEVELOPMENT STANDARDS – SINGLE FAMILY RESIDENCE			
Building Height	R-1 Regulation		Proposed
	25 ft.		24 ft. – 8 in.
Floor Area Ratio (FAR)			
Lot Size		5,164 sq. ft.	
Maximum Floor Area Ratio		60% (Max 3,098 sq. ft.)	
First Story Floor Area		1,368 sq. ft.	
Second Story Floor Area		1,058 sq. ft.	
Secondary Dwelling Unit Area		320 sq. ft.	
Garage Floor Area		258 sq. ft.	
Covered Porch Floor Area (150 sq. ft. credit)		86 sq. ft. (-150 sq. ft. credit) = 0 sq. ft.	
TOTAL FAR		3,004 sq. ft.	
Yards (setbacks are measured from the edge of the public right-of-way)			
	R-1 Regulation		Proposed
Front Yard 1 <sup>st</sup> Story	15 ft.		30 ft. from right-of-way
Front Yard 2 <sup>nd</sup> Story	20 ft.		30 ft. from right-of-way
Front Yard Garage	20 ft.		26 ft. from right-of-way
Side Yard 1 <sup>st</sup> Story	10% lot width	Lot width 50 5 ft. min.	5 ft. from property line – West 6 ft. from property line - East
Side Yard 2 <sup>nd</sup> Story	15% of width	Lot width 50 7.5 ft. min	7.5 ft. from property line–West 7.5 ft. from property line-East
Rear Yard 1 <sup>st</sup> Story	20% of lot depth	Lot depth 103 20.5 ft. min.	21 ft. from property line
Rear Yard 2 <sup>nd</sup> Story	20% of lot depth	Lot depth 103 20.5 ft. min	40 ft. from property line
Encroachments (list all)	20% of each second-story side-wall legally encroaches within		

	5 ft. of the side yard setback. (§17.15.120.D)	
DEVELOPMENT STANDARDS – SECONDARY DWELLING UNIT		
Building Height	Regulation	Proposed
Cannot exceed height of proposed residence	Proposed home = 24 ft. 8 in.	12 ft.
Maximum Unit Size	Regulation	Proposed
	500 sq. ft.	320 sq. ft.
Yards (setbacks are measured from the edge of the public right-of-way)		
Must meet same setbacks as main residence	Regulation	Proposed
Front Yard	15 ft.	30 ft. from right-of-way
Side Yard	5 ft.	6 ft. from property line - W 26 ft. from property line - E
Rear Yard	20.5 ft.	49 ft. from property line
Secondary Unit Design	Regulation	Proposed
	Relate to primary residence	Complies
Open Space	Regulation	Proposed
	Site design provides open space useful for both units	Complies
Occupancy	Regulation	Proposed
	Owner must occupy one of the two units	Condition of Approval #22
Parking		
	Required	Proposed
Residential (from <u>2,601</u> up to <u>4,000</u> sq. ft.)	4 spaces total 1 covered 3 uncovered	4 spaces total 1 covered 3 uncovered
Underground Utilities: required with 25% increase in area		Yes, required (Condition of Approval #8)

## **DISCUSSION**

### Design Permit

The applicant is proposing to demolish the existing residence and to construct a new two-story home with a secondary dwelling unit and single-car garage. Because the proposal includes a secondary dwelling unit, the maximum floor area ratio for the 5,164 square foot lot increases from 49% (2,530 square feet) to 60% (3,098 square feet). The garage and secondary dwelling unit would both be attached to the front of the proposed main residence and would occupy most of the front-facade of the proposed residence. The proposed structure including the secondary dwelling unit would comply with all development standards of the R-1 zone, except for maximum driveway width.

The finished building would use a mix of stucco and stone veneer siding on the first floor, and shingle siding on the second floor. The roof would be of composition shingles with a low angled roof pitch of 3.5:12. The residence would have a trellis-covered entry way with wooden columns on either side. The main residence and secondary unit would have separate entrances, both facing the parking area within the front yard. The master bedroom, located above the secondary unit, would have a large, 72 square foot projecting-bay window looking out onto Park Avenue.

### Parking

The proposed 3,004-square foot home requires four on-site parking spaces, one of which must be covered. The applicant is proposing three uncovered parking spaces within the driveway and turnaround space, and one covered space within the 258-square foot garage.

### Driveway Width Exception

The applicant is proposing an 18-foot wide driveway approach at the front property line, which widens to 21-feet at the proposed curb-edge. The driveway also widens to 41-feet along the front of the home with the incorporation of the turn-around area. Pursuant to §17.15.140, “driveway width for residential uses shall not exceed twenty feet unless an exception is granted by the planning commission due to unusual lot configuration, landscaping or site design considerations”.

Attachment 2 includes the applicant’s driveway width exception request. The applicant believes that the above code section was meant to limit the width of the driveway approach, and should not include the turn-around area. The applicant also suggests that the turnaround area is the only option to fit the third-uncovered space, that most properties on Park Avenue have driveways which exceed the 20-foot rule, that a turnaround area is a necessary safety measure so that cars do not back-out onto Park Avenue, and that the turnaround area will be screened from Park Avenue with a four-foot-high landscape berm. Based on the reasons listed above, the Planning Commission may grant an exception to the maximum 20-foot wide driveway requirement to allow a turnaround area. The turnaround area would use permeable pavers, which would differentiate the area from the concrete driveway. Additionally, the view of the property from Park Avenue would not appear to be all parking and driveway area; the landscaping berm would occupy over half of the front of the property and would screen the turnaround area from public view.

Staff recommends allowing the turnaround area, but restricting the driveway approach to the maximum 20-foot width. The proposed plans show the driveway widening from 18-feet to 21-feet at the proposed curb-edge. Staff recommends adding Condition of Approval # 11, requiring that plans be revised at time of building permit submittal to show the driveway approach complying with the 20-foot requirement.

### Landscaping

The applicant has previously removed 19 overgrown cypress trees from the property. The trees were causing property damage to the subject property and neighboring property to the west and had a high-chance of failure due to the years of neglect. As a part of their Tree Removal Permit, the applicant was required to submit a replant deposit, which will not be refunded until they have replanted trees with a minimum 15% canopy coverage on-site (§12.12.180-D). The applicant preserved two mature cypress trees along the rear of the property and is planning to plant several new shrubs and perennials. The applicant is proposing to plant two multi-trunk arbutus trees, along with several species of shrubs, perennials, and vines within the landscape berm along the front of the property. The applicant has also worked with the Public Works Department to ensure that the proposed landscape berm and driveway approach will conform to City’s Park Avenue Sidewalk Improvement Plans (Condition of Approval #10).

### CEQA REVIEW

Section 15303(a) of the CEQA Guidelines exempts the construction of a single-family residence in a residential zone. This project involves construction of a new single-family residence and attached secondary dwelling unit in the R-1 (Single-Family Residential) Zoning District. No adverse environmental impacts were discovered during review of the proposed project.

## **RECOMMENDATION**

Staff recommends the Planning Commission review the application and **approve** project application #17-027 based on the findings and conditions.

## **CONDITIONS OF APPROVAL**

1. The project approval is for a new, two-story 2,684 square foot single-family residence and attached 320 square foot secondary dwelling unit at 312 Park Avenue. The maximum Floor Area Ratio (FAR) for the 5,164-square foot property is 60% (3,098 square feet) since a secondary dwelling unit is included. The total FAR of the project is 58% with a total of 3,004 square feet, compliant with the maximum FAR within the zone. The project received an exception to the maximum driveway width of 20-feet for the turnaround area. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on June 1<sup>st</sup>, 2017, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans.
3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
4. At the time of submittal for building permit review, Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP) shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP).
5. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
6. Prior to issuance of building permit, a final landscape plan shall be submitted and approved by the Community Development Department. Landscape plans shall show dripline irrigation and shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of irrigation systems, if proposed. Native and/or drought tolerant species are recommended.
7. Prior to issuance of building permit, all Planning fees associated with permit #17-027 shall be paid in full.
8. Prior to issuance of building permits, the building plans must show that the existing overhead utility lines will be underground to the nearest utility pole.
9. Prior to issuance of a building permit, the applicant shall enter into a Deferred Improvement Agreement with the City for the required public sidewalk improvements along Park Avenue.
10. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Creek Water District, and Central Fire Protection District.

11. Prior to issuance of a building permit, the plans must be revised to show the driveway approach complying with the 20-foot requirement. This does not include the turnaround portion of the driveway, which can exceed 20-feet per the exception granted by the Planning Commission at the June 1<sup>st</sup>, 2017 hearing.
12. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
13. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
14. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
15. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
16. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
17. Prior to a project final, all cracked or broken driveway approaches or street edge shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches shall meet current Accessibility Standards.
18. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
19. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
20. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.



21. Upon receipt of certificate of occupancy, garbage and recycling containers shall be shielded and placed out of public view on non-collection days.
22. Before obtaining a building permit for the secondary dwelling unit, the property owner shall file with the county recorder a declaration of restrictions containing a reference to the deed under which the property was acquired by the present owner and stating that the secondary dwelling unit shall not be sold separately, that the unit is restricted to the approved size, and that the owner must occupy either the main residence or secondary unit, pursuant to section 17.99.070 of the Capitola Municipal Code.
23. The floor area for secondary dwelling units shall not exceed 320 square feet as approved by the Planning Commission.
24. At time of submittal for building permit review, a water will serve letter for the second dwelling unit must be submitted to the City.
25. Affordable Housing in-lieu fees shall be paid prior to issuance of building permit, in accordance with chapter 18.02 of the Capitola Municipal Code.

#### **FINDINGS**

- A. **The application, subject to the conditions imposed, secures the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**  
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The new two-story residence and attached secondary dwelling unit, with the conditions imposed, secures the purpose of the Zoning Ordinance, General Plan, and Local Coastal Plan.
- B. **The application will maintain the character and integrity of the neighborhood.**  
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the application for a new two-story residence and attached secondary dwelling unit. The proposed development, with the conditions imposed, will maintain the character and integrity of the neighborhood.
- C. **This project is categorically exempt under Section 15303 of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.**  
Section 15303(a) of the CEQA Guidelines exempts the construction of a single-family residence in a residential zone. This project involves construction of a new single-family residence and attached secondary dwelling unit in the R-1 (Single-Family Residential) Zoning District. No adverse environmental impacts were discovered during review of the proposed project.

#### **COASTAL FINDINGS**

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

- The proposed development conforms to the City's certified Local Coastal Plan

(LCP). The specific, factual findings, as per CMC Section 17.46.090 (D) are as follows:

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

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

- The proposed project is located at 312 Park Avenue. The project will not affect public access and recreation.

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

- The proposed project is located along Park Avenue. The project will not affect shoreline accessibility of the public.

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

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

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

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

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

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

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

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

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

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

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

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

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

- The project is located on a residential lot.

***b. Topographic constraints of the development site;***

- The project is located on relatively flat, regularly shaped lot.

***c. Recreational needs of the public;***

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

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

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

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

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

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

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

**SEC. 30222**

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

- The project involves the demolition of an existing residence and construction of a new, 2-story single-family residence and attached secondary dwelling unit on a residential lot of record.

**SEC. 30223**

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

- The project involves the demolition of an existing residence and construction of a new, 2-story single-family residence and attached secondary dwelling unit on a residential lot of record.

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

- The project involves the demolition of an existing residence and construction of a new, 2-story single-family residence and attached secondary dwelling unit on a residential lot of record.

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

- The project involves the demolition of an existing residence and construction of a new, 2-story single-family residence and attached secondary dwelling unit on a residential lot of record. The project complies with parking standards.

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

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

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

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

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

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

services.

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

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

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

- The project involves the demolition of an existing residence and construction of a new, 2-story single-family residence and attached secondary dwelling unit on a residential lot of record. The GHG emissions for the project are projected at less than significant impact. All water fixtures must comply with the low-flow standards of the Soquel Creek Water District.

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

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

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

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

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

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

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

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

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

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

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

- Geologic/engineering reports are required at time of building permit submittal. Conditions of approval have been included to ensure the project applicant shall comply with all applicable requirements of the most recent version of the California



Building Standards Code.

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

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

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

- The proposed project complies with shoreline structure policies.

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

- This use is a principally permitted use consistent with the Single-Family Residential (R-1) zoning district.

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

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

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

The project site is not located within permit parking area; however, the project complies with the zoning code for on-site parking.

**ATTACHMENTS:**

1. Project Plans
2. Driveway Width Exception Request

Prepared By: Ryan Safty  
Assistant Planner

**CODE ANALYSIS:**  
THESE CONSTRUCTION DOCUMENTS  
HAVE BEEN PREPARED IN COMPLIANCE  
WITH THE CALIFORNIA BUILDING AND FIRE  
CODES (2016)  
OCCUPANCY CLASSIFICATION: R-3/U  
BUILDING CONSTRUCTION TYPE: V-B  
FIRE RATING: SPRINKLERED

<b>PAGE</b>	<b>TITLE</b>
1	COVER SHEET, PROJECT INFO
2	SITE PLAN
3	PROPOSED LOWER FLOOR PLAN
4	PROPOSED UPPER FLOOR PLAN
5	ELEVATIONS
8	ROOF PLAN
9	SURVEY
L-1.0	PLANTING PLAN
L-2.0	PLANTING NOTES & DETAILS

DEPARTMENT REQUIREMENTS:

REGISTRATION CLASSIFICATION R-3/1

DESIGNED CONSTRUCTION TYPE V-B

SPRINKLED

FIRE FLOW REQUIREMENTS FOR SUBJECT PROPERTY ARE A MINIMUM 1,000 GALLONS PER MINUTE AND A MINIMUM LOCATED WITHIN 250 FEET.

EXISTING HYDRANT 1,280 G.P.M.

THESE PLANS ARE IN COMPLIANCE WITH CALIFORNIA BUILDING AND FIRE CODES (2016) AND DISTRICT AMENDMENTS.

DESIGNER/INSTALLER SHALL SUBMIT THREE SETS OF PLANS AND CALCULATIONS FOR THE UNDERGROUND AND OVERHEAD ROADSIDE AUTOMATIC FIRE SPRINKLER SYSTEM TO FIRE APROVAL.

SMOKE DETECTORS ARE TO BE INSTALLED ACCORDING TO CALIFORNIA BUILDING CODE AND APPROVED BY FIRE AGENCY.

BUILDING NUMBERS SHALL BE PROVIDED. NUMBERS SHALL BE A MINIMUM OF FOUR INCHES IN HEIGHT ON A CONTRASTING BACKGROUND AND VISIBLE FROM THE STREET.

INSTALL AN APPROVED SPARK ARRESTOR ON THE TOP OF CHIMNEYS. THE WIRE MESH SHALL NOT EXCEED 1/2 INCH.

ROOF COVER SHALL BE NO LESS THAN CLASS "B" RATED ROOF.

30-FOOT CLEARANCE SHALL BE MAINTAINED WITH NON-COMBUSTIBLE VEGETATION AND/OR STRUCTURES OR TO 120-FOOT CLEARANCE IF BACKDROP IS GREATER DISTANCE.

ALL EXISTING AND PROPOSED BUILDING AND FIRE SYSTEMS AND PLUMBING MUST BE ON SITE DURING INSPECTIONS.

ALL WORK SHALL BE IN ACCORDANCE WITH THE STATE OF CALIFORNIA HEALTH AND SAFETY CODE. SEE JURISDICTION REQUIREMENTS.

DITCHES SHALL HAVE IN PLACE ALL NECESSARY EROSION CONTROL TO ANY FINISHING CONSTRUCTION.

THE DRIVEWAY SHALL HAVE AN OVERHEAD CLEARANCE OF 14 FEET VERTICAL CLEARANCE.

AS A CONDITION OF SUBMITTAL OF THESE PLANS, THE OWNER AND INSTALLER CERTIFY THAT THESE PLANS AND SPECIFICATIONS ARE PREPARED IN ACCORDANCE WITH ALL CODES AND ORDINANCES, AGREE THAT THEY ARE SOLELY RESPONSIBLE FOR COMPLIANCE WITH ALL REGULATIONS, ORDINANCES, AND STANDARDS, AND FURTHER AGREE TO CORRECT ANY DEFICIENCIES NOTED BY THIS REVIEW, SUBSEQUENT REVIEW, INSPECTION OR OTHER CODES AND RULES OF AGENCIES AND WITHOUT PREJUDICE TO THE REVIEWER AND REVIEWING AGENCY.

DRIVEWAY SHALL BE 14 FEET WIDE WITH A MAXIMUM SLOPE OF 8% WITH A SOIL COMPACTION OF 90% DRYWEIGHT. SEE SITE PLANS FOR DRIVEWAY.

EROSION CONTROL:

1. NO LAND CLEARING, GRADING, OR EXCAVATION SHALL BE DONE AFTER OCTOBER 15TH AND ANY LAND FROM THIS ACTION REQUIRES REVIEW AND APPROVAL OF A SEPARATE EROSION CONTROL PLAN. EROSION CONTROL SHALL BE IN PLACE PRIOR TO ANY CONSTRUCTION. THE DEVELOPER SHALL BE RESPONSIBLE FOR MAINTAINING AND MONITORING SITE.

2. UNNECESSARY GRADING AND DISTRIBUTION OF SOIL SHALL BE AVOIDED.

3. ALL EXPOSED MATERIAL SHALL BE PROTECTED FROM EROSION AT ALL TIMES. IT MAY BE BAYES, FILTER BARRI, SILT FENCIS OR OTHER MEANS SHALL BE EMPLOYED TO PREVENT EROSION FROM LEAVING THE SITE. ALL EXPOSED MATERIALS SHALL BE COVERED DURING CONSTRUCTION. NO THIRD PARTY SHALL BE PERMITTED TO ENTER THE CHANNEL OR STORED MATERIALS. ALL EXPOSED MATERIALS SHALL BE COVERED WITH SILT FENCIS OR OTHER MEANS TO PREVENT SUCH DISCHARGE.

4. ALL EXPOSED MATERIAL SHALL BE PROTECTED DURING CONSTRUCTION ACTIVITIES, IF NOT PERMANENTLY LANDSCAPED PER PLAN, SHALL BE PROTECTED BY MULCHING AND/OR PLANTING OF THE FOLLOWING SOILS:

GRASS	500K
BLANDIO BRUSH	500K
ZORRO CLOVER (PELLE)	100K
CREeping RED FESCUE	100K
ROSE ANNUAL FESCUE	100K

5. ALL EXPOSED MATERIAL SHALL BE TRUCKED TO AN APPROVED SC. COUNTY DISPOSAL SITE OR ON-SITE.

6. ANY MATERIAL SHALL BE COVERED IN A MANNER THAT WILL NOT CAUSE EROSION.

7. ANY MATERIAL SHALL BE COVERED WITH PLASTIC, ESPECIALLY DURING THE WINTER.

8. UPON COMPLETION OF CONSTRUCTION, ALL REMAINING EXPOSED SOILS SHALL BE PERMANENTLY LANDSCAPED.

9. EXPOSED SOIL ON SLOPES GREATER THAN 20% SHALL BE SEEDED, COVERED WITH 2 INCHES OF ST mulch, AND COVERED WITH EROSION CONTROL BLANKET SHALL BE STIMULUS IN.

10. IT IS THE DEVELOPER'S RESPONSIBILITY TO SEE THAT ALL ADDITIONAL MEASURES NECESSARY TO CONTROL EROSION ARE IN PLACE.

11. ROOF AND SITE DRAINAGE TO PERMITULATE TO LOT AREA, UNLESS NOTED: DOWNSPOUTS TO SPRINKLESHOES TO SURFACE DRAIN TO ESTABLISHED LANDSCAPE AREAS.

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OF #	SHEETS

1. CONTRACTOR SHALL CAREFULLY EXAMINE ALL MATERIALS NECESSARY, OF WHATEVER NATURE, FOR CONSTRUCTION OF THE WORK. LOCATION OF AN UNSTABLE OR DETERIORATED MATERIAL DISCOVERED BELOW THE BOTTOMS OF THE FOUNDATIONS SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER IMMEDIATELY.

2. FOUNDATION BEAMS SHALL BE CONSTRUCTED OF STEEL OR CONCRETE. FOUNDATION BEAMS SHALL BE GROUND ON WHICH GRADE BEAMS AND EXTERIOR CONCRETE FLATWORK ARE CONSTRUCTED MUST BE

3. WITH 2X6 PRESSURE TREATED SLABS OR CONCRETE OR MASONRY FOUNDATION WALLS. FOUNDATION

4. SHALL BE CONSTRUCTED WITH 12" MIN. THICK CONCRETE OR MASONRY. FOUNDATION SHALL BE

5. WITH METAL SLOTTED WASHERS (3"x7"x10"x29"). FOUNDATION DETAILS SHALL SUPERSEDE GENERAL NOTES.

6. FOUNDATION SHALL BE CONSTRUCTED WITH 12" MIN. THICK CONCRETE OR MASONRY. FOUNDATION SHALL BE

7. PROVIDE ADDITIONAL 16" ACCESS UNDER MAIN HEART TO

8. 8" O.C. STARTING AS CLOSE TO CORNERS AS POSSIBLE & LOCATED TO PROVIDE CROSS VENTILATION.

9. FOUNDATION SHALL BE CONSTRUCTED WITH 12" MIN. THICK CONCRETE OR MASONRY. FOUNDATION SHALL BE

10. CONCRETE SHALL DEVELOP 2500 PSI MINIMUM COMPRESSIVE STRENGTH AT 28 DAYS. IN ACCORDANCE

11. WITH THE SPECIFICATIONS OF THE AMERICAN INSTITUTE OF STEEL CONSTRUCTION, ALL CONCRETE

12. CONCRETE WORK SHALL CONFORM WITH THE APPLICABLE PROVISIONS, LATEST EDITION.

13. FOUNDATION SHALL BE CONSTRUCTED WITH 12" MIN. THICK CONCRETE OR MASONRY. FOUNDATION SHALL BE

14. AND GRADE 60 FOR 4 BARS AND GRADE 60 BARS SHALL BE WROTH TO JOINTS AND LAPPED AT

15. 12" MIN. OVERLAP. ALL BARS SHALL BE WROTH TO JOINTS AND LAPPED AT 12" MIN. OVERLAP. ALL

16. LAYER HORIZONTAL BARS WRT AT CORNERS, HOOK ONE BAR TO LAY OUT DIAMETERS WITH

17. DRAWINGS FOR OTHER LAP REQUIREMENTS WHERE NOTED. WHERE CORNER IS POUNED AGAINST

18. CORNER SHALL BE MINIMUM 12" MIN. OVERLAP. ALL BARS SHALL BE WROTH TO JOINTS AND LAPPED AT

19. CORNER SHALL BE AS FOLLOWS: (1) ABOVE GRADE FORMED: 1 1/2" MIN. (2) BELOW

20. GRADE FORMED: 12" MIN. (3) OTHER SEE STRUCTURAL PLANS.

21. FOUNDATION SHALL BE CONSTRUCTED WITH 12" MIN. THICK CONCRETE OR MASONRY. FOUNDATION SHALL BE

22. BROOM FINISH. UNLESS NOTED OTHERWISE.

23. SLOPE: DIMENSIONS ARE IN FEET OF INCHES FOR FOUNDATION FACE OF STUCCO FOR FRAMING, U.O.

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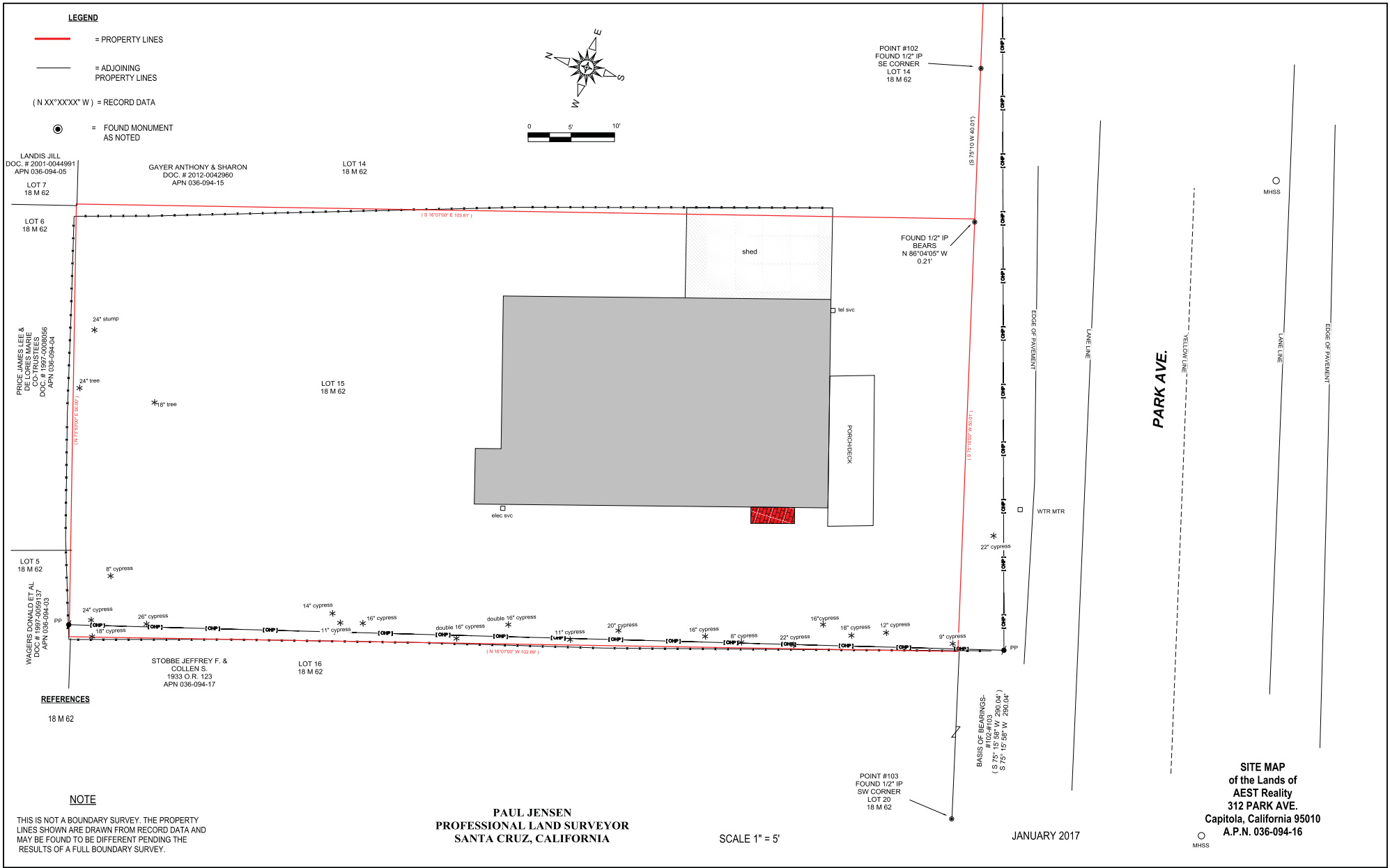
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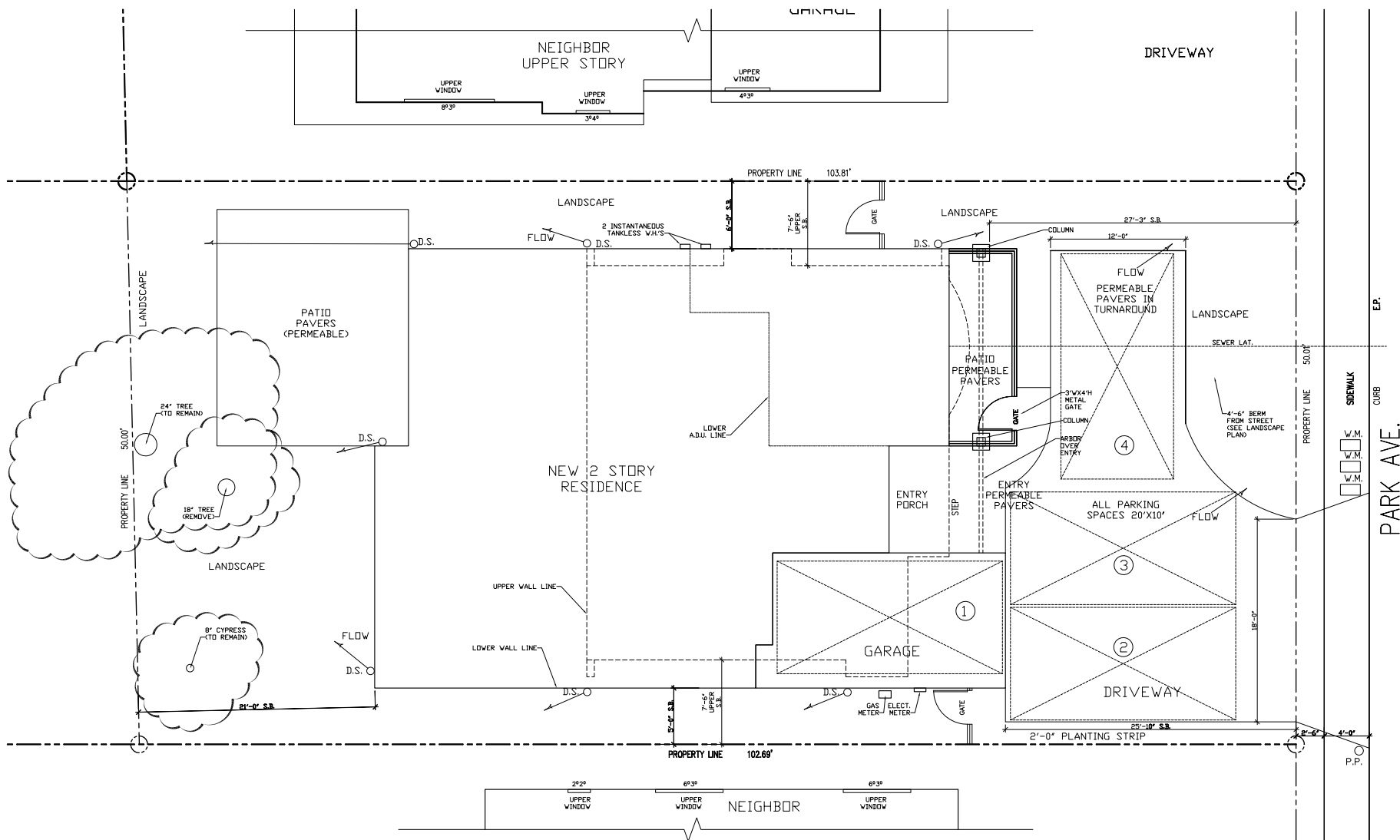
1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITION (2016 C.P.C.) AND ALL APPLICABLE CODES, ORDINANCES, SPECIFICATIONS, STANDARDS, AND REGULATIONS.
2. SLOPE OF DRAINS 1/4" PER MIN. CLEARANCE FOR CLEANOUTS 18" MIN.
3. ALL PIPING SHALL BE INSTALLED WITH SUFFICIENT SPACE FOR ALL ACCESS FITURES, INCLUDING CONCEALED SUMP JOINT CONNECTIONS.
4. ALL PIPING SHALL BE INSTALLED WITH SUFFICIENT SPACE FOR FLOW SHALL BE 3 GPM/IN AT 80 PSI. WATER PRESSURE SHALL BE 50 PSI MAX. FAUCETS SHALL BE 1.5 GPM.
5. A WATER - COPPER TYP. W/ LEAD SOLDER  
OR DRINKING - SCHEDULE 40, 60, 80
6. A WATER - SCHEDULE 40 BLACK STEEL
7. FIREPROOF - ALL PIPING SHALL BE LOCATED IN THE SAME ROOM AS THE OUTLET, OUTSIDE THE HEARTH, BUT NOT MORE THAN 4" FROM SUCH OUTLET
8. FAUCETS SHALL BE 1/2" MIN. CLEARANCE TO THE WALL, 15 GPM @80 PSI
9. KITCHEN SINKS, LAVATORIES, SHOWERS, BATHS, LAUNDRY TUBS AND WASHING MACHINES OUTLETS SHALL BE INSTALLED WITH SUFFICIENT SPACE FOR FLOW SHALL BE 3 GPM/IN AT 80 PSI.
10. ALL PIPING SHALL BE INSTALLED WITH SUFFICIENT SPACE FOR FLOW SHALL BE 3 GPM/IN AT 80 PSI. WATER PRESSURE SHALL BE 50 PSI MAX. FAUCETS SHALL BE 1.5 GPM.

1. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF (2016 C.E.C.) AND ALL APPLICABLE CODES.
2. ALL 125 VOLT SINGLE PHASE 15 AND 20 AMP RECEPTACLE OUTLETS INSTALLED OUTDOORS, IN UNFINISHED ATTIC, GARAGE, PORCH, BALCONY, OR UNDER EAVES OF ROOF SURFACES SHALL HAVE GROUND-FAULT CIRCUIT PROTECTION.
3. ALL 125 VOLT CIRCUIT BREAKERS SHALL BE USED AS ELECTRICAL GROUND.
4. SMOKE DETECTORS SHALL RECEIVE THEIR PRIMARY POWER FROM THE BUILDING WIRING SYSTEM. A SECONDARY POWER SOURCE SHALL BE PROVIDED FOR THE DETECTORS TO OPERATE IN THE EVENT OF A POWER FAILURE.
5. SERVICE CONDUCTORS SHALL HAVE A CLEARANCE OF NOT LESS THAN 3 FEET FROM WINDOWS, DOORS, OR OTHER OPENINGS.
6. GENERAL LIGHTING IN KITCHEN AND BATHS SHALL BE L.E.D.
7. ALL ELECTRICAL WORK SHOWN ON THE DRAWINGS SHALL BE DONE IN ACCORDANCE WITH THE C.E.C. AND ALL APPLICABLE CODES.
8. CONDUCTOR WIRES WITH AN INSULATED NUTLINE, A FOUR-INCH-WATER OUTLET ARE REQUIRED FOR DRIVERS RECEPTABLES AT FRONT AND REAR OF HOME SHALL BE PROVIDED AND G.F.C.I. PROTECTED & MUST BE PROVIDED G.F.C.I. CIRCUITS AT GARAGE, KITCHEN, BATHS AND EXTERIOR.
9. ALL 125 VOLT CIRCUIT BREAKERS SHALL BE INSTALLED IN ACCORDANCE WITH THE C.E.C. AND ALL APPLICABLE CODES. IF FLUORESCENT OR MERCURY VAPOR LIGHTS ARE INSTALLED IN THE KITCHEN, BATHS, AND EXTERIOR, THEN THE CIRCUIT SHALL BE INSTALLED IN ACCORDANCE WITH THE C.E.C. AND ALL APPLICABLE CODES.
10. ALL 125 VOLT SUPPLY 120/240V, SINGLE PHASE, 15- AND 20-AMPERE OUTLETS INSTALLED UNWELING LITTLE FAMILY ROOMS, DINING ROOMS, LIVING ROOMS, PORCHES, BALCONIES, LIBRARIES, DEN, BEDROOMS, AND BATHS SHALL BE L.E.D. LIGHTING.
11. ALL 125 VOLT SUPPLY 120/240V, SINGLE PHASE, 15- AND 20-AMPERE OUTLETS INSTALLED IN KITCHEN SHALL BE L.E.D. LIGHTING.
12. ALL 125 VOLT SUPPLY 120/240V, SINGLE PHASE, 15- AND 20-AMPERE OUTLETS INSTALLED IN KITCHEN SHALL BE L.E.D. LIGHTING.
13. ALL 125 VOLT SUPPLY 120/240V, SINGLE PHASE, 15- AND 20-AMPERE OUTLETS INSTALLED IN KITCHEN SHALL BE L.E.D. LIGHTING.
14. ALL 125 VOLT SUPPLY 120/240V, SINGLE PHASE, 15- AND 20-AMPERE OUTLETS INSTALLED IN KITCHEN SHALL BE L.E.D. LIGHTING.
15. ALL 125 VOLT SUPPLY 120/240V, SINGLE PHASE, 15- AND 20-AMPERE OUTLETS INSTALLED IN KITCHEN SHALL BE L.E.D. LIGHTING.
16. ALL 125 VOLT SUPPLY 120/240V, SINGLE PHASE, 15- AND 20-AMPERE OUTLETS INSTALLED IN KITCHEN SHALL BE L.E.D. LIGHTING.
17. ALL 125 VOLT SUPPLY 120/240V, SINGLE PHASE, 15- AND 20-AMPERE OUTLETS INSTALLED IN KITCHEN SHALL BE L.E.D. LIGHTING.
18. ALL 125 VOLT SUPPLY 120/240V, SINGLE PHASE, 15- AND 20-AMPERE OUTLETS INSTALLED IN KITCHEN SHALL BE L.E.D. LIGHTING.
19. ALL 125 VOLT SUPPLY 120/240V, SINGLE PHASE, 15- AND 20-AMPERE OUTLETS INSTALLED IN KITCHEN SHALL BE L.E.D. LIGHTING.
20. ALL 125 VOLT SUPPLY 120/240V, SINGLE PHASE, 15- AND 20-AMPERE OUTLETS INSTALLED IN KITCHEN SHALL BE L.E.D. LIGHTING.
21. ALL 125 VOLT SUPPLY 120/240V, SINGLE PHASE, 15- AND 20-AMPERE OUTLETS INSTALLED IN KITCHEN SHALL BE L.E.D. LIGHTING.
22. ALL 125 VOLT SUPPLY 120/240V, SINGLE PHASE, 15- AND 20-AMPERE OUTLETS INSTALLED IN KITCHEN SHALL BE L.E.D. LIGHTING.

1. THESE PLANS ARE IN COMPLIANCE WITH CALIFORNIA BUILDING AND FIRE CODES (2016) AND DISTRICT REQUIREMENTS.
2. CONSIDERATION OF THE PLAN SHALL SUBMIT THREE SETS OF PLANS AND CALCULATIONS FOR THE UNDERGROUND AND OVERHEAD RESIDENTIAL AUTOMATIC FIRE SPRINKLER SYSTEM AND FIRE ALARM SYSTEM.
3. SMOKE DETECTORS ARE TO BE INSTALLED ACCORDING TO CALIFORNIA BUILDING CODE AND APPROVED BY THE DISTRICT.
4. THE WIRE SHALL BE INSTALLED IN CONDUIT, SHALL BE IDENTIFIED AND LABELED. THE WIRE SHALL BE EXPOSED TO A CONTRASTING BACKGROUND AND VISIBLE FROM THE STREET.
5. THE WIRE SHALL BE INSTALLED IN CONDUIT, SHALL BE IDENTIFIED AND LABELED. THE WIRE SHALL NOT BE HIGHER THAN 1 1/2".
6. THE COVER SHALL BE IDENTICAL TO THE CLASS "B" RATED ROOF.
7. A 30-FOOT CLEARANCE WILL BE MAINTAINED WITH NON-COMBUSTIBLE VEGETATION WITHIN THE 30-FOOT CLEARANCE. THE 30-FOOT CLEARANCE SHALL BE MAINTAINED AT ALL TIMES.
8. THE JOB CODES OF THE BUILDING AND FIRE SYSTEMS PLANS AND PERMITS MUST BE IDENTIFIED.
9. FIRE HYDRANT SHALL BE PAINTED IN ACCORDANCE WITH THE STATE OF CALIFORNIA HEALTH AND SAFETY CODE.
10. DRIVEWAY SHALL BE IN PLACE (ALL WEATHER SERVICES) PRIOR TO ANY FRAMING CONSTRUCTION.
11. THE OWNER SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES.
12. AS A CONDITION OF SUBMITTAL OF THESE PLANS, THE OWNER AND INSTALLER CERTIFY THAT THEY HAVE READ AND UNDERSTOOD THE CALIFORNIA BUILDING AND FIRE CODES AND ORDINANCES, AGREE THAT THEY ARE SOLELY RESPONSIBLE FOR COMPLIANCE WITH SPECIFICATIONS AND REQUIREMENTS OF THE CALIFORNIA BUILDING AND FIRE CODES AND ANY DEFENDING ACTION NOTED BY THIS REVIEW, SUBSEQUENT REVIEW, INSPECTION AND ANY OTHER SOURCE.
13. THE FINISH FLOOR SHALL BE WITH A MAXIMUM SLOPE OF .05% WITH A SOIL

[illegible]





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

REVISIONS:	BY:

OWNER  
ART HUI  
4100 MOORPARK AVE.  
SAN JOSE, CA 95117  
408-865-1974

LIN RESIDENCE  
312 PARK AVE.  
CAPITOLA, CA 95010  
APN 036-094-16

DENNIS NORTON  
HOME DESIGN AND PROJECT PLANNING  
112 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010  
PHONE: 831-336-1111  
WEBSITE: www.dennisonnorton.com

SITE PLAN

DRAWN: GG  
SCALE: 1/4"=1'-0"  
JOB NO. PARK AV  
DATE: 05/01/17  
SHEET 2 OF 2 SHEETS



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

**PROPOSED S.F.:**  
1ST FLOOR = 1,368 S.F.  
2ND FLOOR = 1,058 S.F.  
A.D.U. = 320 S.F.  
GARAGE = 258 S.F.  
TOTAL = 3,004 S.F.

REVISIONS:	BY:
05/25/17	GG

**OWNER:**  
ARTHUR LIN  
4100 MOORPARK AVE.  
SAN JOSE CA 95117  
408-865-1972

LIN RESIDENCE  
312 PARK AVE.  
CAPITOLA, CA 95010  
APN 036-094-16

**DENNIS NORTON**  
HOME DESIGN AND PROJECT PLANNING

PHONE: 831 476 2616 FAX: 831 476 2616  
 WEBSITE: [www.dennisonortondesign.com](http://www.dennisonortondesign.com)

PROPOSED LOWER  
FLOOR PLAN

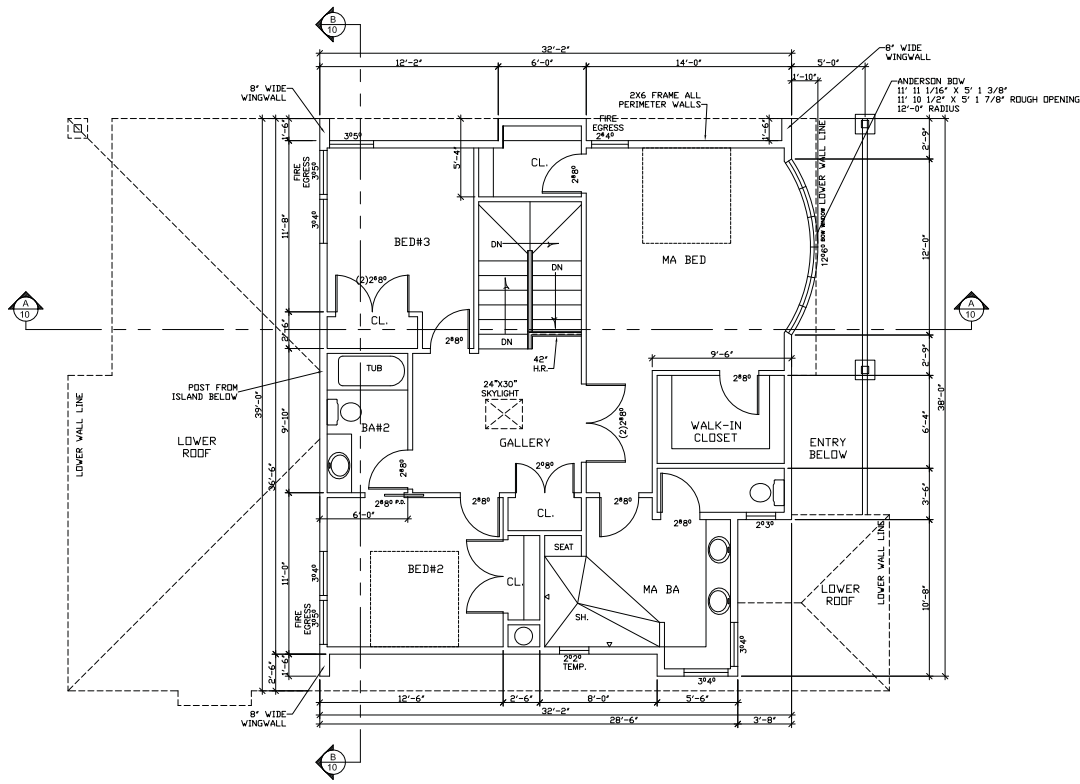
DRAWN:	GG
SCALE:	1/4"=1'-0"
JOB NO.	PARK AV

DATE: 03/29/17

SHEET

3

OF # SHEETS



SECOND FLOOR PLAN

PROPOSED S.F. :  
1ST FLOOR = 1,368 S.F.  
2ND FLOOR = 1,698 S.F.  
A.D.U. = 329 S.F.  
GARAGE = 238 S.F.  
TOTAL = 3,004 S.F.

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

REVISIONS:	BY:

OWNER:  
ART HUR  
4100 MOORPARK AVE.  
SAN JOSE, CA 95117  
408-865-1972

LIN RESIDENCE  
312 PARK AVE.  
CAPITOLA, CA 95010  
APN 036-094-16

**DENNIS NORTON**  
HOME DESIGN AND PROJECT PLANNING  
712 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010  
PHONE: 831-336-1111  
WEBSITE: www.dennisonnorton.com

**PROPOSED UPPER  
FLOOR PLAN**

DRAWN: GG

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

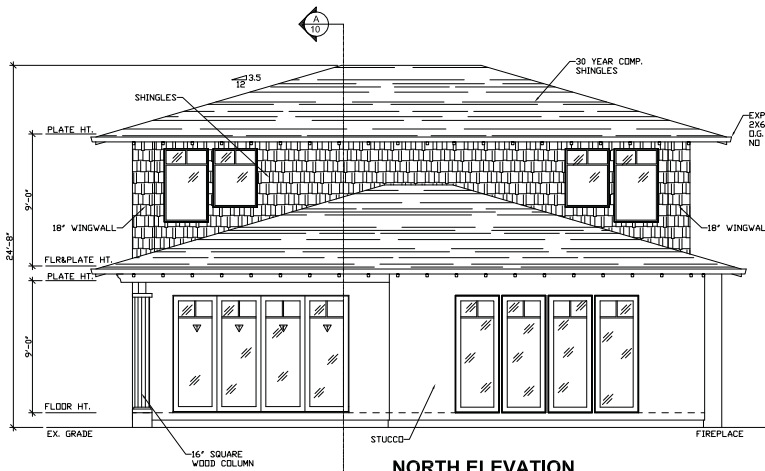
JOB NO. PARK AV

DATE: 03/24/17

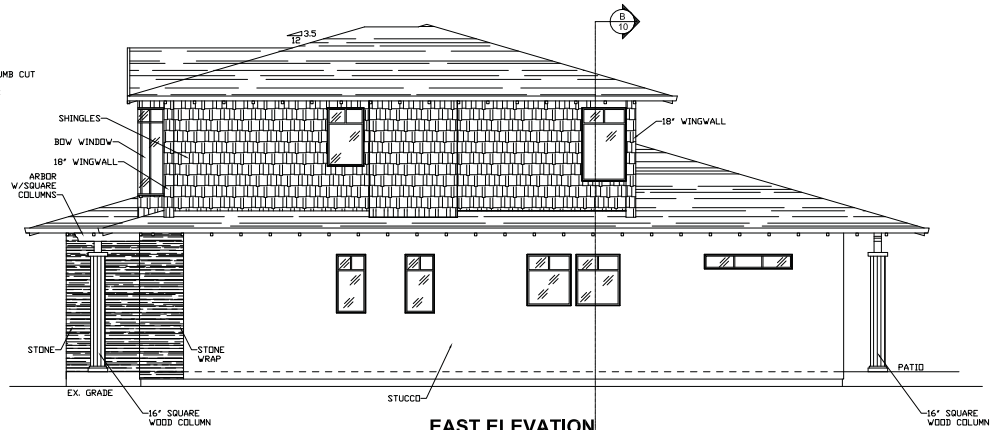
SHEET

4  
OF SHEETS

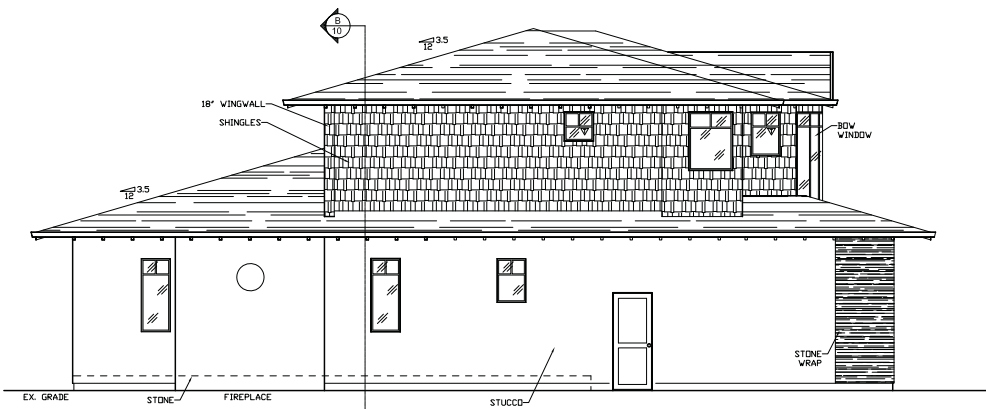




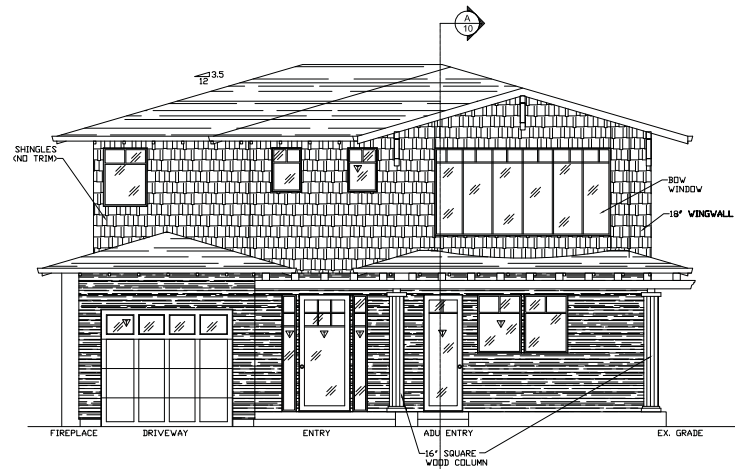
**NORTH ELEVATION**



**EAST ELEVATION**



**WEST ELEVATION**



**SOUTH ELEVATION**

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

REVISIONS:	BY:

OWNER:  
ARTHUR LIN  
4100 MOORPARK AVE.  
SAN JOSE, CA 95117  
408-865-1972

LIN RESIDENCE  
312 PARK AVE.  
CAPITOLA, CA 95010  
APN 036-094-16

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712 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010  
PHONE: 831-337-1111  
FAX: 831-337-1111  
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ELEVATIONS

DRAWN: GG

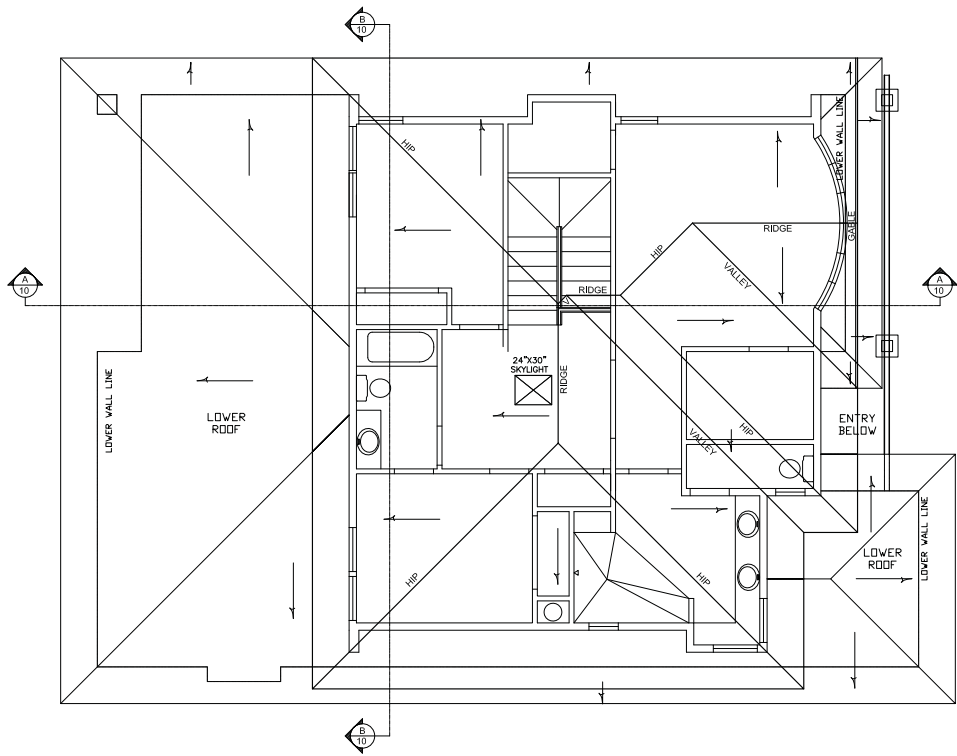
SCALE: 1/4"=1'-0"

JOB NO. PARK AV

DATE: 03/24/17

SHEET

5  
OF # SHEETS



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

REVISIONS:	BY:

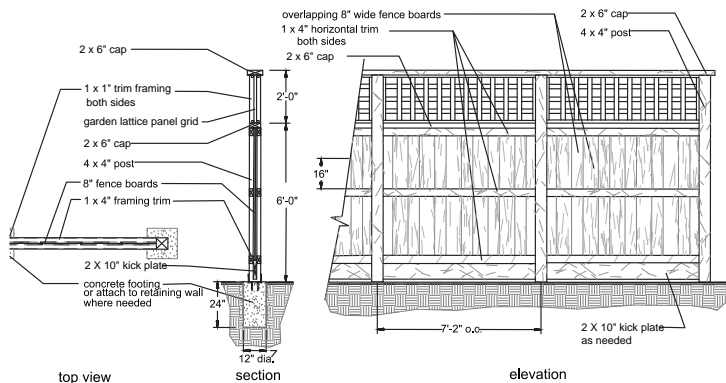
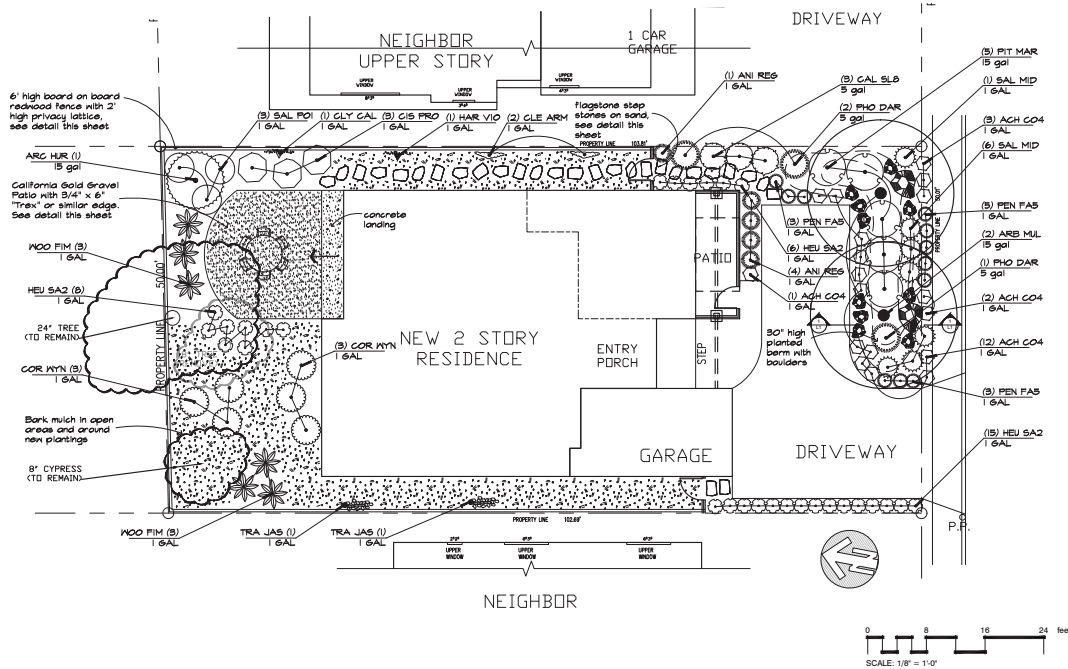
OWNER  
ARTHUR LIN  
4100 MOORPARK AVE.  
SAN JOSE, CA 95117  
408-865-1972

LIN RESIDENCE  
312 PARK AVE.  
CAPITOLA, CA 95010  
APN 036-094-16

DENNIS NORTON  
HOME DESIGN AND PROJECT PLANNING  
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PHONE: 831-336-8888  
FAX: 831-336-8888  
WEBSITE: www.dennisonnorton.com

ROOF  
PLAN

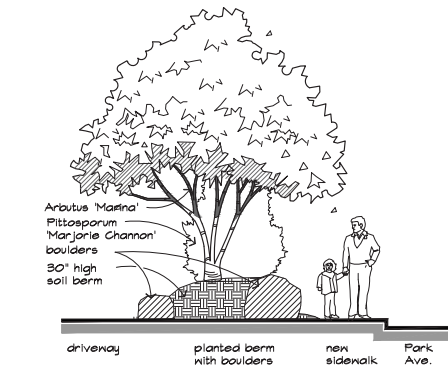
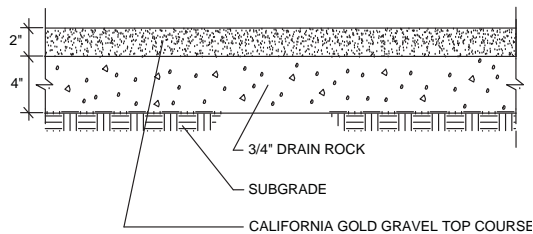
DRAWN:	GG
SCALE:	1/4"=1'-0"
JOB NO.	PARK AV
DATE:	03/24/17
SHEET	8
OF #	SHEETS



GOOD NEIGHBOR FENCE  
SCALE: NOT TO SCALE

GRAVEL PATIO  
SCALE: NOT TO SCALE

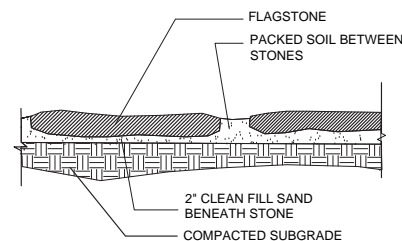
NOTE: IF DESIRED USE 3/4" X 6" TREX HEADER  
ALONG BOTH SIDES TO CONTAIN GRAVEL



1 SECTION/ELEVATION PLANTED BERM AT STREET  
L1 no scale

#### PLANT SCHEDULE

TREES	BOTANICAL NAME / COMMON NAME	CONT	QTY
ARB YUL	Arbutus x 'Marmia' / Arbutus Multi-Trunk	15 gal	2
SHRUBS	BOTANICAL NAME / COMMON NAME	CONT	QTY
ARC HUR	Arctostaphylos manzanita 'Dr. Hurd' / Dr. Hurd Manzanita	15 gal	1
CAL SLB	Callistemon viminalis 'Bliss' / Bottle Brush	5 gal	3
CIS PRO	Cistus salvifolius 'Prostratus' / Sageleaf Rockrose	1 GAL	3
COR MYN	Cornus x 'Nym's Wonder' / Variegated Australian Fuchsia	1 GAL	6
PHO DAR	Phoradendron x 'Dark Delight' / Purple Flax	5 gal	3
PIT MAR	Pittosporum tenuifolium 'Marjorie Channon' / Tairihihi	15 gal	5
SAL FOI	Salvia leucophylla 'Paint Sal' / Purple Leaf Sage	1 GAL	3
ANNUALS/PERENNIALS	BOTANICAL NAME / COMMON NAME	CONT	QTY
ACH CO4	Achillea Filipendula 'Coronation Bell' / Fernleaf Yarrow	1 GAL	18
ANI RES	Argemone x 'Regal Velvet' / Regal Velvet Kangaroo Paw	1 GAL	5
HEU SA2	Heuchera maxima 'Santa Ana Cardinal' / Island Alum Root	1 GAL	24
PEN FAS	Pennisetum x 'Fairy Tails' / Evergreen Fountain Grass	1 GAL	11
SAL MID	Salvia leucantha 'Midnight' / Mexican Bush Sage	1 GAL	7
MOO FIM	Hoodardia fibrata / Giant Chain Fern	1 GAL	6
VINE/SPALIER	BOTANICAL NAME / COMMON NAME	CONT	QTY
CLE ARM	Clematis armandi / Evergreen Clematis	1 GAL	2
CLY CAL	Clytostema callistegioides / Violet Trumpet Vine	1 GAL	1
HAR VIO	Hardenbergia violacea / Lilac Vine	1 GAL	1
TRA JAS	Trachelospermum jasminoides / Chinese Star Jasmine	1 GAL	2



FLAGSTONE ON SAND  
SCALE: NOT TO SCALE

LIN RESIDENCE  
312 PARK AVE.  
CAPITOLA, CA 95010  
APN 036-094-16

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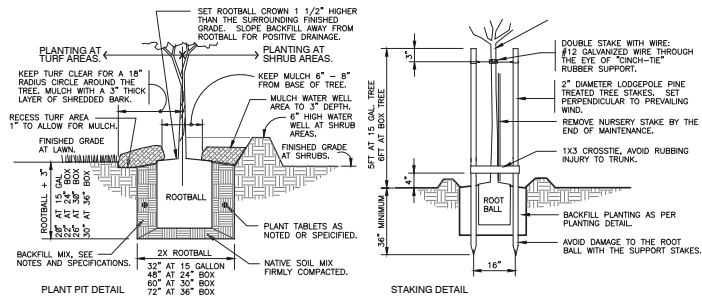
#### REVISIONS



#### PLANTING PLAN

JOB NO. 201712  
SCALE 1/8" = 1' - 0"  
DRAWN MA SHEET  
CHECK JC/MA  
DATE 3.30.2017 L-1.0

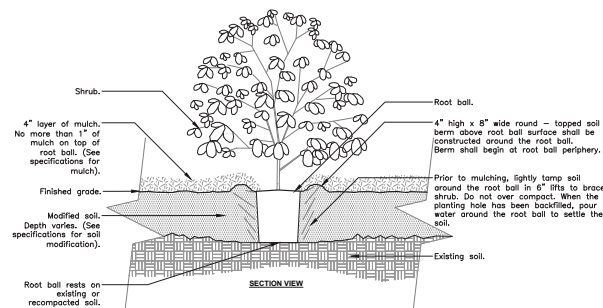
SHEET 1 OF 2



**1 TREE DOUBLE STAKE PLANTING**

1" = 1'-0"

FX-PL-FX-TREE-11



- Notes:  
 1- Shrubs shall be of quality prescribed in the root observations detail and specifications.  
 2- See specifications for further requirements related to this detail.

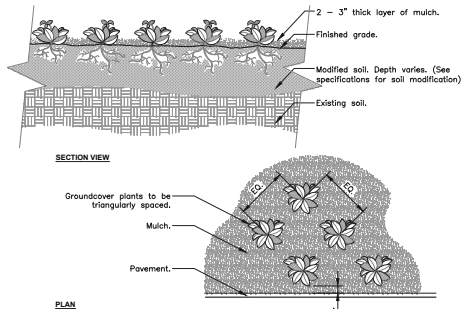
**2 SHRUB - MODIFIED SOIL**

3/4" = 1'-0"

URPM TREE FOUNDATION © 2014  
 OPEN SOURCE FREE TO USE  
 FX-PL-FX-SHRB-03

#### PLANTING NOTES

1. All existing trees, shrubs and ground covers to remain shall be protected. Any damage caused by Contractor's work shall be repaired or replaced at the Contractor's expense and be approved by the Landscape Architect.
2. If topsoil is intact, spread 2-4 inches of compost over surface of soil and incorporate into top 12-24 inches of planting area. If topsoil has been scraped and stored, mix one cubic yard of compost to 3-5 cubic yards of topsoil before re-spreading.
3. After amending soil, grade all areas smooth with no localized depressions exceeding .5 inch. All areas shall surface drain with 1.5 percent minimum slope away from all buildings, paving or other structures.
4. Quantities are for aiding in bidding only. Contractor shall verify all quantities.
5. Contractor shall lay out plant material as per plan and receive approval from Landscape Architect prior to installation.
6. No plants shall be planted with root balls or new pits in a dry condition.
7. Plant all plants as per planting details in square pits with sides and bottoms thoroughly scarified. Do not amend backfill mix beyond initial topsoil amending unless noted.
8. All newly planted material shall be watered by deep soaking within 3 hours of planting.
9. All planting areas shall receive 2 to 3 inches of shredded fir bark top dressing (mulch).
10. Contractor shall be responsible for irrigating all new plant material until the entire project has been approved and accepted by Owner.
11. Thirty days after planting Contractor shall restake and straighten all trees as necessary to be approved by Landscape Architect.



- Notes:  
 1- See planting legend for groundcover species, size, and spacing dimension.  
 2- Small roots (1/4" or less) that grow around, up, or down the root ball periphery are considered a normal condition in container production and are acceptable however they should be eliminated at the time of planting. Roots on the periphery can be removed at the time of planting. (See root ball showing container detail).  
 3- Settle soil around root ball of each groundcover prior to mulching.

**3 GROUND COVER**

3/4" = 1'-0"

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 FX-PL-FX-GROU-01

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#### REVISIONS



#### PLANTING NOTES + DETAILS

**JOB NO.** 201712  
**SCALE** N/A  
**DRAWN** MA **SHEET**  
**CHECK** JC/MA  
**DATE** 3.30.2017 **L-2.O**

**SHEET 2 OF 2**

RECEIVED

MAY 11 2017

CITY OF CAPITOLA

May 11, 2017

Planning Commission

City of Capitola

Re: 312 Capitola Avenue, Driveway design and parking

Honorable Commissioners,

This application is for a new single family residence of 2,426 Square foot, an attached ADU of 320 Square foot and an attached single car garage of 258 square foot on a 5,164 square foot lot.

We all understand how hard it is to produce affordable secondary units in Capitola, even with the State requirements of ease of processing and control of costs. This project is a perfect example of how it can be achieved. No parking requirement is the first step, allowing additional square footage for ADU certainly helps. To fit a ADU into this lot it is necessary to build only a single car garage into structure. This structure of 2,684 square foot (including garage) requires four parking spaces. Incidentally, we are being required the forth car space for a garage square footage that puts us over the 3 car maximum. As you can see, you cant have an ADU in this situation and have a two car garage, there is not room on the front face of house.

We have provided four car parking, as required. To do this, we need four spaces in front of house. With a 20 wide maximum driveway width, it is necessary to park one car parallel to Park Avenue. We have designed a 4'-0" tall landscaped berm along Park Avenue to shield this parking space. (See Landscape Plan). This configuration also offers an important turnaround space. As you know Park Avenue in this section is very difficult to back onto.

We are asking for an exeption to the 20 foot wide driveway rule, In order to place the turnaround area in the front of lot. This may be subject to discussion in that there is no place where the driveway is 20 foot wide. It appears that the 20 foot rule was intended for the driveway approach, not the width onsite.

Attachment: Driveway Width Exception Request (1875 : 312 Park Avenue)

Park Avenue homes in this area have, almost without exception, have continuous frontage parking to lots. With planned improvements this year, this will be the first lot to conform to the proposed Plan Line for sidewalks along Park Avenue. Thank you for your consideration.

Dennis Norton,                      Rep. for owner.