



AGENDA

CAPITOLA PLANNING COMMISSION

Thursday, June 4, 2015 – 7:00 PM

Chairperson Linda Smith
Commissioners Ed Newman
 Gayle Ortiz
 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. Approval of Draft May 7, 2015 Planning Commission meeting minutes.

4. CONSENT CALENDAR

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

A. 2185 41st Avenue #15-083 APN: 034-192-02

Sign Permit for a new awning with signs for a dentist's office in the CC (Community Commercial) Zoning District.

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

Environmental Determination: Categorical Exemption

Property Owner: Dr. Mike Raffo

Representative: Christian Nielsen, filed: 5/11/15

B. 3555 Clares Street Suite TT #15-079 APN: 034-261-59

Conditional Use Permit for sale of beer and wine at an existing restaurant (Roux Dat) in the Community Commercial (CC) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: Bob Rivers (Brown Ranch Properties)

Representative: Chad Glassley, filed: 4/30/15

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. 429 Riverview Avenue #13-179 APN: 035-121-034

Design Permit, Conditional Use Permit, and Variance to setback requirements for an addition to an existing historic single family home in the R-1 (Single Family) zoning district.

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

Environmental Determination: Exempt

Property Owner: Mike and Cindy Reardon

Representative: Derek Van Alstine, filed 12/19/13

B. 1601 41st Avenue #15-067 APN: 034-151-20

Design Permit and Conditional Use Permit for expansion of nursery, exterior remodel, permanent and seasonal outdoor displays, and height exception for a 16-foot high fence for Orchard Supply Hardware in the Community Commercial (CC) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: Ow Trusts

Representative: Nicholas De Torres, filed 4/16/15

C. 809 Bay Avenue #15-074 APN: 035-021-43

Design Permit and Conditional Use Permit for a private outdoor seating area and onsite sale and consumption of beer and wine for the Nob Hill grocery store located in the CC (Community Commercial) Zoning District.

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

Environmental Determination: Categorical Exemption

Property Owner: Redtree Properties

Representative: Michael Gates, filed: 4/22/15

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 can be appealed to the City Council within the (10) working days following the date of the Commission action. If the tenth day falls on a weekend or holiday, the appeal period is extended to the next business day.

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

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

Agenda and Agenda Packet Materials: The Planning Commission Agenda and complete Agenda Packet are available on the Internet at the City's website: www.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.

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**DRAFT MINUTES
CAPITOLA PLANNING COMMISSION MEETING
THURSDAY, MAY 7, 2015
7 P.M. – CAPITOLA CITY COUNCIL CHAMBERS**

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

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Commissioners: Ed Newman, Gayle Ortiz, TJ Welch, and Susan Westman and Chairperson Linda Smith.

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

1. Appointment to Traffic and Parking Commission

Commissioner Welch offered to serve on this Commission. He was appointed by consensus.

B. Public Comment

Resident Richard Lippi spoke to concerns about the proposed skate park at Monterey Park, referencing a letter addressed to the commission.

Resident Helen Bryce spoke to open spaces within the City, and specifically questioned the proposed skate park at Monterey Park. She asked that the city develop a comprehensive plan for green space and parks.

C. Commission Comment

Commissioner Welch noted that Margaritaville, which recently received a sign permit, has reopened on the Esplanade and welcomed it to the area.

D. Staff Comments - None

3. APPROVAL OF MINUTES

A. April 2, 2015, Draft Planning Commission Minutes

A motion to approve the April 2, 2015, meeting minutes was made by Commissioner Ortiz and seconded by Commissioner Welch.

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

4. CONSENT CALENDAR

Commissioner Welch recused himself from items 4A and 4B.

A. 4525 Capitola Road #15-005 APN: 034-124-06

Conditional Use Permit for a Sunday School to be located in the CR (Commercial Residential) Zoning District.

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

Environmental Determination: Categorical Exemption

Property Owner: Calvary Chapel Capitola, filed 1/20/15

Representative: Sandy Hale

A motion to approve application #15-005 for a Conditional Use Permit was made by Commissioner Ortiz and seconded by Commissioner Newman with the following conditions and findings:

CONDITIONS

1. The project approval consists of a Conditional Use Permit to allow a Sunday school at 4525 Capitola Road. There is a 728-square-foot home at 4525 Capitola Road that is owned by the Calvary Church. The church has rented the home for habitation in the past. The current request is to convert the home to a Sunday school.
2. Two onsite parking spaces must be provided for use by school teachers or administrators. Families utilizing the Sunday school will park in the adjacent church parking lot.
3. Prior to occupancy of the site as a Sunday school, the ADA access must be installed in compliance with the State and Federal regulations. Also, fire sprinklers must be installed within the structures.
4. The school shall only be utilized as a Sunday school associated with the adjacent Church. The building has not been approved as a daycare facility or a private school and shall not be utilized as such without the proper permits. The Sunday school shall operate during the same hours as the Church.
5. The application shall be reviewed by the Planning Commission upon evidence of non-compliance with conditions of approval or applicable municipal code provisions.

FINDINGS

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

Community Development Department Staff, the Architectural and Site Review Committee, and the Planning Commission have reviewed the application and determined that the the Church may be granted a conditional use permit for a Sunday school within the CR Zoning District. The use meets the intent and purpose of the Commercial Residential Zoning District. Conditions of approval have been included to ensure that the use is consistent with the Zoning Ordinance and General Plan.

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

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

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

The proposed project involves the conversion of a single-family home to a Sunday school adjacent to an existing Church. No adverse environmental impacts were discovered during project review by either the Community Development Department Staff or the Planning Commission.

The motion carried by the following vote: Aye: Commissioners Newman, Ortiz, and Westman and Chairperson Smith. No: None. Abstain: None.

B. 208 Hollister #15-031 APN: 036-124-17

Design Permit for the demolition of an existing single-story residence and construction of a new two-story residence 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: Brian Sherer

Representative: Derek Van Alstine, filed: 2/25/15

Chairperson Smith asked to add a condition requiring the fire pit to be gas-burning. Commissioner Westman asked to prohibit any future second-floor decks.

A motion to approve application #15-031 for a Design Permit and Coastal Development Permit was made by Commissioner Ortiz and seconded by Commissioner Newman with the following conditions and findings:

CONDITIONS

1. The project approval consists of construction of a new 2,386-square-foot home at 208 Hollister Ave. The maximum Floor Area Ratio for the 5,680 square foot property is 51% (2,386 square feet). The total FAR of the project is 50.9% with a total of 2,386 square feet, compliant with the maximum FAR within the zone. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on May 7, 2015, 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 building plans must show that the existing overhead utility lines will be underground to the nearest utility pole.
4. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
5. At the time of submittal for building permit review, Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP) shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP).
6. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes

to the size or exterior appearance of the structure shall require Planning Commission approval. Second-story decks and porches require Planning Commission approval.

7. Prior to issuance of building permit, a final landscape plan shall be submitted and approved by the Community Development Department. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of irrigation systems.
8. Prior to issuance of building permit, all Planning fees associated with permit # 15-031 shall be paid in full.
9. The fire pit in the side yard is approved as a gas fireplace. A wood-burning fire pit is not permitted. Changes to the fire pit require approval from the Community Development Department, which can be forwarded to the Planning Commission for review.
10. Prior to issuance of a building permit, affordable housing in-lieu fees shall be paid as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance.
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, curb, gutter, or sidewalk shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.
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 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 addition to the single family home. The project conforms to the development standards of the R-1 (Single Family Residence) zoning district. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance, General Plan and Local Coastal Plan.

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

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project conforms to the development standards of the R-1 (Single Family Residence) zoning district. Conditions of approval have been included to ensure that the project maintains the character and integrity of the neighborhood. The proposed addition to the single-family residence compliments the existing single-family homes in the neighborhood.

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 208 Hollister 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 Hollister 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 no 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 Hollister Avenue. The project will not block or impede the ability of the public to get to or along the tidelands, public recreation areas, or views to the shoreline.

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

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

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

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

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

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

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

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

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

- The project is located in a residential area without sensitive habitat areas.

b. Topographic constraints of the development site;

- The project is located on a flat lot.

c. Recreational needs of the public;

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

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

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

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

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

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

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

SEC. 30222

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

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

SEC. 30223

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- The proposed project is not located along a shoreline.

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

- This use is an allowed use consistent with the Single-Family Residential zoning district.

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

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

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

- The project site is located within the area of the Capitola parking permit program.

The motion carried by the following vote: Aye: Commissioners Newman, Ortiz, and Westman and Chairperson Smith. No: None. Abstain: None.

C. 110 Stockton Ave #15-063 APN: 035-23-114

Conditional Use Permit for a take-out restaurant and bakery to be 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: SouthStar Property Management

Representative: Helmut J. Fritz, filed: 4/7/15

Commissioner Ortiz asked to pull this item to discuss hours of operation. It was heard at the start of the public hearing agenda.

Planner Cattan presented the staff report and noted a revised interior plan. She explained the six-seat limit meets the definition of a to-go restaurant and does not increase parking intensity from the previous use.

Commissioner Newman raised the possibility of adding a condition within this and other village conditional use permit applications to adhere to all sign regulations. His thought is that violations such as sandwich boards would endanger the permit itself and give staff leverage for enforcement. Director Grunow responded that he does not believe conditions requiring applicants to adhere to the municipal code add to ability to police infractions. Commissioner Newman also noted that the standard condition “The application shall be reviewed by the Planning Commission upon evidence of non-compliance” does not carry sufficient weight and suggested replacing it with “the permit may be revoked.” Staff will bring forward options in the future.

Commissioner Ortiz supports the project but asked that hours of operation be included in conditions of approval. She also suggested they should be extended to allow the business to stay open until 8 p.m. Her intent is for the neighborhood to be clear about what use can be expected at various times. Commissioner Westman agreed, but suggested a 9 p.m. limit. Commissioner Ortiz concurred.

Commissioner Westman acknowledged frustration with the six-seat provision and feels it is often not followed once a location opens. Staff agreed that the seating limit can impact businesses that would otherwise like to locate in the Village, but it is the current option since any intensity of use is not allowed under the local coastal program without providing new parking.

Commissioner Smith asked if the CUP is granted, what type of use needs to come back for a new permit? Staff explained a bakery is principally permitted use and the answer would depend on if it was another type of restaurant.

Applicant Helmut Fritz thanked the commission for the offer to expand hours. He described the product type as small, European-style fare. Most cooking of savory items plus much of the baking will be done in his Davenport restaurant and noted health department requirements would change cooking equipment types for cooking meat onsite. There is a delivery spot in back so it will not impact traffic and he will not need large trucks.

Commissioner Newman noted many eating establishments have residents above them. The landlord can control issues between tenants and government may not need to regulate by conditioning the hours.

Commissioner Westman feels the reason for a CUP is to provide additional public awareness.

Commissioner Welch also prefers to limit regulation.

A motion to approve application #15-063 for a Conditional Use Permit and Coastal Development Permit was made by Commissioner Newman and seconded by Commissioner Welch with the following conditions and findings:

CONDITIONS

1. The project approval consists of a Conditional Use Permit to allow a bakery/to-go restaurant within the existing commercial space located at 110 Stockton Avenue. No modifications to the exterior of the building are proposed.
2. Seating is limited to a maximum of 6 seats.
3. There shall be no amplified audible entertainment inside the business that can be audible outside of the business.
4. The applicant is responsible for maintaining the area directly in front of the business free from litter and/or graffiti.
5. Trash shall not be emptied later than 8 pm. Trash collection times must be consistent with hours established for the Village.
6. No outdoor display of good, outdoor seating, or outdoor dining is allowed within this permit.
7. The application shall be reviewed by the Planning Commission upon evidence of non-compliance with conditions of approval or applicable municipal code provisions.

FINDINGS

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

Community Development Department Staff, the Architectural and Site review committee, and the Planning Commission have reviewed the application and determined that the business owner may be granted a conditional use permit for a bakery/to-go restaurant within the CV Zoning District. The use meets the intent and purpose of the Central Village Zoning District. Conditions of approval have been included to ensure that the use is consistent with the Zoning Ordinance and General Plan.

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

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

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

The proposed project involves a bakery/to-go restaurant. No adverse environmental impacts were discovered during project review by the Community Development Department Staff, the Architectural and Site review committee, or the Planning Commission.

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 intersection improvements conform 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 tenant change is in the Capitola Village. The proposed tenant change will not impact pedestrian safety to coastal access. The project will not have an impact on demand for access or 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;

- 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 are no adverse impacts on public use.

(E) (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 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 will not impact access and recreation. The project does not diminish the public's use of tidelands or lands committed to public recreation nor alter the aesthetic, visual or recreational value of public use areas.

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

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

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

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

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

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

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

- The project is located within an existing commercial building that does not have sensitive habitat areas.

b. Topographic constraints of the development site;

- The project is located on a flat area of land.

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 tenant modification within an existing commercial building.

SEC. 30223

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

- The project involves a tenant modification within an existing commercial building.

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 tenant modification within an existing commercial building.

(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 complies with applicable standards and requirements for provision for parking, pedestrian access, alternate means of transportation and/or traffic improvements.

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

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

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

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

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

- The location has existing 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 Central Fire District. Water is available at the location.

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

- The project complies with water and energy conservation standards.

(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;

- The project involves a tenant modification within an existing commercial building.

(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;

- The project involves a tenant modification within an existing commercial building.

(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;

- The project involves a tenant modification within an existing commercial building..

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

The project involves a tenant modification within an existing commercial building.

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

- The proposed project is not located along a shoreline.

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

- This use is a conditional 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:

- Parking demand is not increased within the proposal.

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

5. PUBLIC HEARINGS**A. 408 Monterey Ave #15-052 APN: 036-092-04**

Design Permit for the demolition of an existing single-story residence and construction of a new two-story home in the R-1 (Single-Family Residential) Zoning District, and a variance request to exclude first-story decks within Floor Area calculation. This project is located 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: 3/24/15

Assistant Planner Ryan Safty presented the staff report. He explained the variance request to exclude decks above 30 inches, without which the project exceeds the floor area limit, and provided illustrations of the sloping lot. He highlighted concerns for privacy with adjoining neighbors identified during Arch and Site Commission review and noted the applicant offered to make the bathroom window opaque.

Chairperson Smith asked how much the fence height extends above the deck line. The fence height would be from ground level and therefore its height relative to the deck will vary. The deck will have its own railings as required by building code for safety.

Commissioner Westman confirmed there is a 10-foot easement from Monterey Avenue. She felt comfortable with a variance given the slope of the lot and setting of the home. Commissioner Ortiz felt decking is an appropriate choice for yards given current landscaping and water challenges. Other commissioners concurred.

A motion to approve application #15-052 for a Design Permit, Coastal Development Permit and Variance was made by Commissioner Ortiz and seconded by Commissioner Westman with the following conditions and findings:

CONDITIONS

1. The project approval consists of construction of a new 2,151 square-foot residence and approval of a variance to exclude first story decks within the Floor Area calculation. 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 53.7% with a total of 2,151 square feet, compliant with the maximum FAR within the zone. The proposed project and variance request is approved as indicated on the final plans reviewed and approved by the Planning Commission on May 7, 2015, 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 building plans must show that the existing overhead utility lines will be underground to the nearest utility pole.
4. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
5. At the time of submittal for building permit review, Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP) shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP).
6. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
7. Prior to issuance of building permit, a final landscape plan 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.
8. Prior to issuance of building permit, all Planning fees associated with permit # 15-052 shall be paid in full.
9. 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.
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 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, all cracked or broken driveway approaches, curb, gutter, or sidewalk shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.
17. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
18. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
19. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
20. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.

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 single family home. The project conforms to the development standards of the R-1 (Single Family Residence) zoning district with a variance to exclude first-story decks from the Floor Area calculation due to the existing slope of the subject property. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance, General Plan and Local Coastal Plan.

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

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project conforms to the development standards of the R-1 (Single Family Residence) zoning district. Conditions of approval have been included to ensure that the project maintains the character and integrity of the neighborhood. The proposed new single-family residence compliments the existing single-family homes in the neighborhood.

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

This project involves the construction of a new single-family residence in the R-1 (Single-Family Residential) Zoning District. Section 15303-A of the CEQA Guidelines exempts the construction of a new home in a residential zone.

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 408 Monterey 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 Monterey 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.

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

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

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

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

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

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

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

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

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

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

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

- The project is located in a residential area without sensitive habitat areas.

b. Topographic constraints of the development site;

- The project is located on a slightly sloping lot. The lot is accessed on the opposite side of the slope. The property is not near the coast.

c. Recreational needs of the public;

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

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

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

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

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

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

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

SEC. 30222

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

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

SEC. 30223

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- The proposed project is not located along a shoreline.

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

- This use is an allowed use consistent with the Single-Family Residential 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 the area of the Capitola parking permit program.

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

B. Draft Climate Action Plan - Authorization to Initiate Public Review

Director Grunow provided an overview of the purpose and goals of the Climate Action Plan. Much of the focus is on reducing greenhouse gas emissions. Transportation is the largest source of emissions, then energy use, according to 2010 baseline estimates from the Association of Monterey Bay Area Government. The City needs to achieve a 4.9 percent reduction by 2020, and is currently on target. Longer-term goals for 2035 and 2050 will be more difficult to reach.

Capitola's plan focuses primarily on voluntary, incentive-based measures. The City can have little impact on transportation without state and regional support, but can support new energy options and efficiencies. Incentives to change behaviors are a major portion of the plan. Funding for sidewalks and alternate transportation would impact future capital improvement plan budgets.

If the commission and council approve release, the 30-day review will begin in July with adoption expected in the fall.

Resident Richard Lippi asked if wood-burning appliances have an impact and if they are addressed. Director Grunow said there is cumulative impact and the general plan discourages wood-burning fireplaces.

Mr. Lippi also noted he is working with the Police Department to reduce through-traffic at village events, thereby reducing emissions from idling vehicles, and to offer more efficient parking options.

Commissioner Newman noted the plan offers benefits beyond climate impacts and praised the report.

Commissioner Westman asked for a larger, darker font to reduce the lighting required to read it.

Chairperson Smith supports flexibility in the implementation plan.

The commission consensus was to recommend release.

6. DIRECTOR'S REPORT

Director Grunow reported that the Monterey Avenue skate park application has been submitted and deemed complete. The next steps are hiring an EIR consultant for noise, traffic, and parking. An EIR scoping meeting and architecture and site review will occur earlier on in process.

Staff will attend the May Traffic and Parking Commission to get input on zoning changes to parking ahead of commission discussion for the update.

Based on progress from the joint meeting for the zoning code update, the special July meetings are currently open. The topic schedules will be updated as hearings occur. June 15 may be the community discussion of non-conforming residential structures and noticed to those areas.

Commissioner Ortiz asked if future maintenance costs for the Monterey Avenue skate park would be included in the studies. Director Grunow replied those are not an issue for the EIR, but public works will address that during its review.

7. COMMISSION COMMUNICATIONS

Commissioner Welch will not be able to attend next week's traffic and parking meeting.

8. ADJOURNMENT

Chairperson Smith adjourned the meeting at 8:24 p.m. to a special meeting of the Planning Commission to be held on Monday, May 18, 2015, at 6 p.m. in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

Approved by the Planning Commission on June 4, 2015.

Linda Fridy, Minutes Clerk

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STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: JUNE 4, 2015

SUBJECT: **2185 41st Ave #15-083 APN: 034-192-02**
 Sign Permit for a new awning with signs for a dentist office in the CC (Community Commercial) Zoning District.
 This project is not in the Coastal Zone and thus does not require a Coastal Development Permit.
 Environmental Determination: Categorical Exemption
 Property Owner: Dr. Mike Raffo
 Representative: Christian Nielsen, filed: 5/11/15

APPLICANTS' PROPOSAL

The applicant is proposing two new wall signs and a new awning for the front of a new dentist office located at 2185 41st Avenue in the CC (Community Commercial) Zoning District. The new awning signs require Planning Commission approval (§17.57.020).

DISCUSSION

The new dentist office is moving into the old 2,062 square foot Liberty Tax office space located on the northern edge of 41st Avenue, just south of the Gross Road intersection. The office building fronts 41st Avenue; the unit is currently undergoing a remodel. The applicant has a building permit for a full remodel of the exterior and interior of the unit. They will not be moving any doors or windows and they are not adding square footage, thus they did not need Planning Commission approval for those changes. The new dentist office is less than 3,000 square feet and is principally permitted in the CC district (§17.27.040).

The applicant is proposing to build a new aluminum awning over the front (east) of the building that will connect with the existing parapet on the south-eastern corner. The existing parapet overhangs 3'-8" over the southern edge and front of the building. There will be 9'-6" of clearing beneath the new awning (Attachment A).

The two new wall signs will be backlit and attached to the new aluminum awning, on the south and front (east) elevations. The 9.5 square foot wall signs are backlit and will be located on adjacent corners of the building (Attachment A). Under the south elevation wall sign is a proposed 2.7 square foot directional parking sign, which will have an 8'-9" clearing. The Municipal Code requires a minimum of eight feet clearance below signs. (§17.57.070)

The Capitola Municipal Code restricts businesses from having more than one wall sign unless they are located adjacent to two streets, a part of a master sign program, or if one of the signs is

a center identification or directory sign (§17.57.070). The applicant is applying for an exception to this code section. The applicant is proposing two wall signs so that the office is visible from both direction of traffic on 41st Avenue. The front wall sign is attached to the slanted awning, making it visible for southbound traffic on 41st Avenue. The second sign is on the southeastern corner facing south, making it visible for northbound traffic on 41st.

The applicant is also proposing window screening along the entire building. The east, north, and south facades are proposed to be screened 71% - 78% by glazing and vinyl coverage to provide privacy for patients.

The rear parking lot contains nine parking spaces (the Municipal Code requires seven) and will be illuminated with a new wall-mounted light on the back of the building. Condition #4 has been included to ensure that any glare from the light-source is directed away from residences and 41st Avenue.

RECOMMENDATION

Staff recommends that the Planning Commission **approve** application #15-083, subject to the following conditions and findings:

CONDITIONS

1. The project approval consists of two wall signs and an awning located over the entrance of 2185 41st Ave. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on June 4, 2015, except as modified through conditions imposed by the Planning Commission during the hearing.
2. The applicant was granted a sign permit to construct a new sign awning over the entrance of 2185 41st Ave. In any case where the conditions of the permit have not been or are not complied with, the community development director shall give notice thereof to the permittee, which notice shall specify a reasonable period of time within which to perform said conditions and correct said violation. If the permittee fails to comply with said conditions, or to correct said violation, within the time allowed, notice shall be given to the permittee of intention to revoke such permit at a hearing to be held not less than thirty calendar days after the date of such notice. Following such hearing and, if good cause exists therefore, the Planning Commission may revoke the permit.
3. Prior to installation, a building permit shall be secured for the new sign authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission.
4. Parking lot lights shall be pointed downward and use LED energy efficient bulbs and designed to prevent light and glare from spilling onto neighboring properties or public rights-of-way.
5. The two new wall signs are backlit. The backlighting shall not shine onto adjacent properties or distract motorists or pedestrians.
6. 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.

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 shall require Planning Commission approval.
8. Prior to issuance of building permit, all Planning fees associated with permit #15-083 shall be paid in full.
9. 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.
10. 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

FINDINGS

- A. The signage, as designed and conditioned, will maintain the character and aesthetic integrity of the subject property and the surrounding area.**
The backlit signs have a simple design that will complement the aesthetics of the Community Commercial zoning district along 41st Avenue.
- B. The signage, as designed and conditioned, reasonable prevent and reduce the sort of visual blight which results when signs are designed without due regard to effect on their surroundings.**
The signs are modern and clean and will enhance the exterior appearance of the office space.

ATTACHMENTS

- A. Sign Plan

**Report Prepared By: Ryan Safty
Assistant Planner**

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BY	REVISIONS	DATE

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Checked: SN	Drawn: SN
Date: 2/14/2018	

A1

Printed On: 5/7/18

RAFFO DENTAL OFFICES - FACADE IMPROVEMENTS

PROJECT DATA

APN: 02419202
 ZONING DISTRICT: CC
 CITY: SANTA CRUZ, CA
 CONSTRUCTION TYPE: V-B
 OCCUPANCY GROUP: B
 SITE SLOPE: < 10%

SHEET INDEX

- A1 SITE PLAN / PROJECT DATA
- A2 EXISTING AND PROPOSED ELEVATIONS
- A3 EXISTING AND WINDOW COVERAGE CALCULATIONS
- A4 PERMISSIVES

PROJECT DESCRIPTION

(N) AWNING AND SIGNAGE, (NI) VINYL SHADING

VICINITY MAP

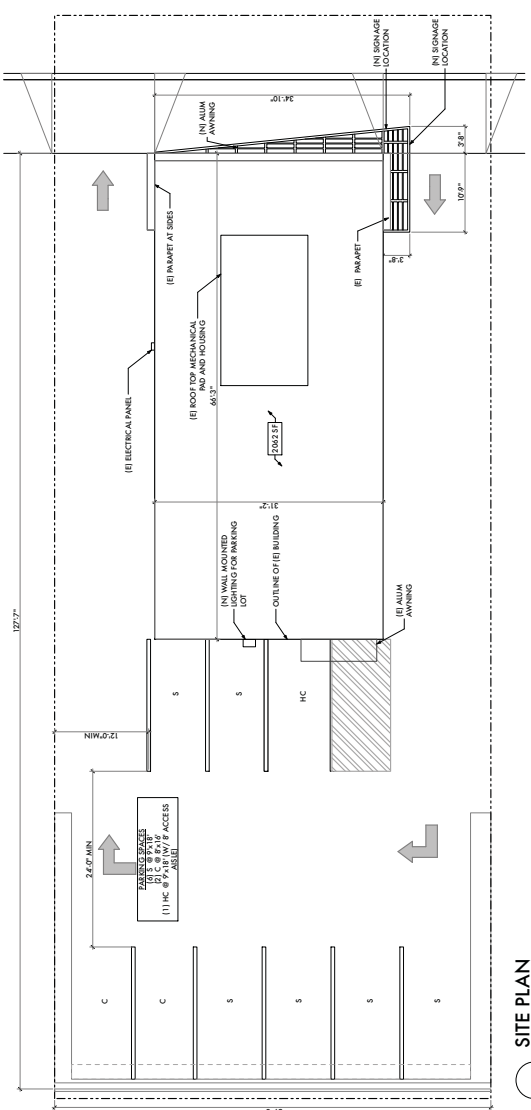


GENERAL NOTES

- 1.01 THE ISSUANCE OF A BUILDING PERMIT SHALL NOT BE CONTINUED AS A GUARANTEE THAT ALL CODE REQUIREMENTS ARE MET. THE CONTRACTOR SHALL BE RESPONSIBLE FOR INSURING THAT THE FINISHED PRODUCT COMPLIES WITH ALL REGULATIONS, LAWS AND CODE REQUIREMENTS.
- 1.02 THESE PLANS ARE FOR THE GENERAL CONSTRUCTION PURPOSES ONLY. THEY ARE NOT EXHAUSTIVE DETAILED NOR FULLY SPECIFIED. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO SELECT, VERIFY, RESOLVE AND INSTALL ALL MATERIALS AND EQUIPMENT.
- 1.03 THERE WILL BE NO OBSERVATION BY AN ARCHITECT DURING CONSTRUCTION. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR THE QUALITY CONTROL AND CONSTRUCTION STANDARDS FOR THE PROJECT.
- 1.04 ALL CONSTRUCTION WORK (ARCHITECTURAL, MECHANICAL, ELECTRICAL, ETC) SHALL MEET OR EXCEED THE LATEST EDITION OF THE LATEST GOVERNING AGENCIES. THESE SHALL INCLUDE:
 - 2013 CALIFORNIA BUILDING CODE (2013 CBC)
 - 2013 CALIFORNIA RESIDENTIAL CODE - TITLE 24 (2013 IRC)
 - 2013 CALIFORNIA FIRE CODE (2013 FFC)
 - 2013 CALIFORNIA MECHANICAL CODE (2013 IMC)
 - 2013 CALIFORNIA ELECTRICAL CODE (2013 NEC)
 - 2013 CALIFORNIA ENERGY EFFICIENCY STANDARD (TITILE 24)
 - 2013 GREEN BUILDING CODE (TITLE 24)
 - AND ALL OTHER ORDINANCES ADOPTED BY THE GOVERNING AGENCIES.
- 1.05 THE GENERAL CONTRACTOR SHALL MAINTAIN A CURRENT RECORD SET OF ALL DRAWINGS AND PERMITS FOR THE USE OF ALL TRADES AND SHALL PROVIDE ALL SUBCONTRACTORS WITH CURRENT CONSTRUCTION DOCUMENTS AS REQUIRED.
- 1.06 GENERAL CONTRACTOR TO VERIFY ALL MEASUREMENTS SHOWN ON THESE DRAWINGS PRIOR TO COMMENCING ANY WORK OR ORDERING ANY MATERIAL.
- 1.07 DO NOT SCALE THE DRAWINGS. DIMENSIONS SHOWN SHALL SUPERSEDE SCALE OF DRAWINGS. ANY DISCREPANCY IN DIMENSIONS FOR CONFLICT IN PLANS OR FIELD CONDITIONS SHALL BE RESOLVED BY THE GENERAL CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CONTINUANCE OF THE WORK IN THE AFFECTED AREA. IF WORK IS CONTINUED IN THE AFFECTED AREA WITHOUT INSTRUCTION OR CLARIFICATION BY NIELSEN ARCHITECTS, THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ANY RESULANT DEFECT, DAMAGE OR CHANGE REQUIRED.
- 1.08 AT JOB COMPLETION, PRIOR TO SUBMITTING THE REQUIREMENT FOR FINAL PAYMENT, THE GENERAL CONTRACTOR SHALL PROVIDE A RECORD SET OF SUBMITTALS SHOWING AS-BUILT CONDITIONS.
- 1.09 GENERAL CONTRACTOR TO PROVIDE RECIRES CONTAINERS ON THE JOB SITE TO ASSURE CONTINUOUS RECYCLING OF MATERIALS.
- 1.10 GENERAL CONTRACTOR IS RESPONSIBLE FOR NOTIFYING SUBCONTRACTORS AND ASSURING THEIR COMPLIANCE WITH RECYCLING PROGRAM.
- 1.11 NIRC LABELS MUST REMAIN ATTACHED TO THE GLAZING UNTIL AFTER INSULATION INSPECTION IS COMPLETED.

ABBREVIATIONS

BLDG	BLOCKING
BOT	BOTTOM
CONC	CONCRETE
CONC	CONTINUOUS
CU.FT.	CUBIC FEET
DIA.	DIAMETER
DWGS	DRAWINGS
EQ	ELECTRICAL
EN	END NAIL
EQ.	EQUAL
EXT.	EXTERIOR
FIN	FINISH
FT	FEET OR FOOT
G.PYRD	GYPSED
IN.	INCH
INT.	INTERIOR
L.G.	LOADING
MAL.	MATERIAL
MNK.	MINIMUM
(N)	NEW
O/	OVER
O.C	ON CENTER
REF	REFER
REF	REFERENTIAL
REQD	REQUIRED
SCHED	SCHEDULE
S.F.	SQUARE FEET
SQ.	SQARE
T&B	TOP & BOTTOM
TBD	TO BE DETERMINED
TYP.	TYPICAL
VERT.	VERTICAL
WF	WHICH NOTED OTHERWISE
W/	WITH



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



Item #: 4.A. Attachment A. Project Plans.pdf

nienstudio
ARCHITECTURE + DESIGN
2228 E. Fifth Street - Santa Cruz CA 95062
P: 831.438.4272 F: 831.438.4273

JOB NAME: RAFO DENTAL OFFICES
CLIENT: Michael J. Rafo, DMD
ADDRESS: 2185 41st Ave
City, State: Capitola, CA 95010
APN: 02419202



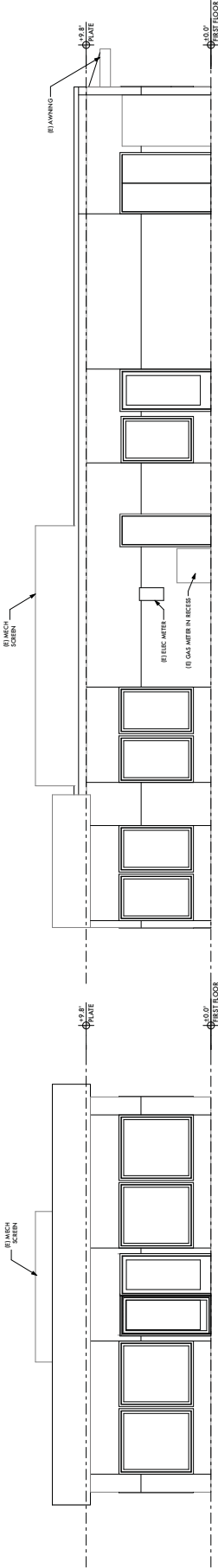
THE ISSUANCE OF A BUILDING PERMIT SHALL NOT BE
CONSIDERED AS A GUARANTEE THAT ALL CODE
REQUIREMENTS ARE REFLECTED IN THE OCCUPANCY
PERMITS. THE DESIGNER SHALL BE RESPONSIBLE FOR
OBTAINING THE NECESSARY PERMITS FOR THE PROJECT.
THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING
NECESSARY LAWS AND CODE REQUIREMENTS.

EXISTING AND PROPOSED ELEVATIONS

BY	REVISIONS	DATE

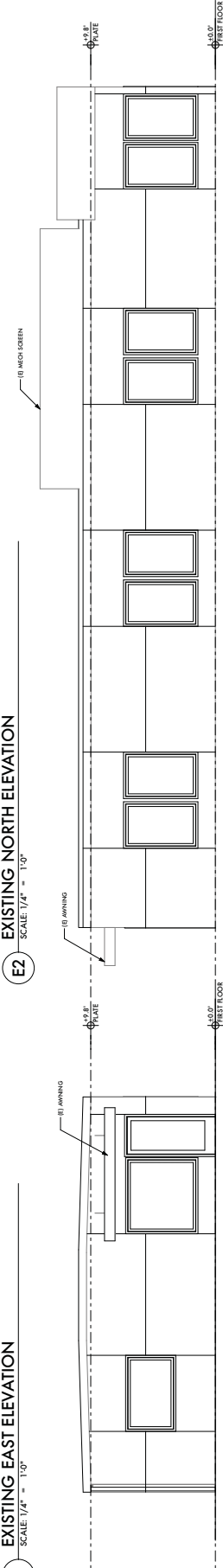
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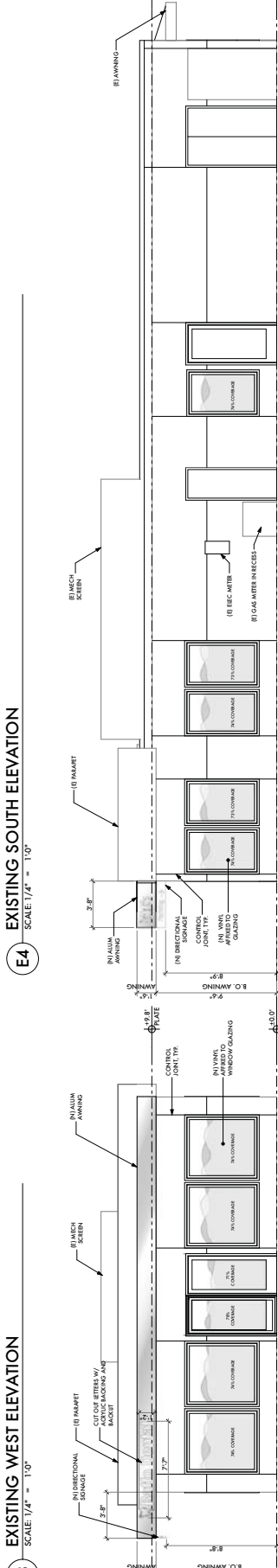
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SCALE: 1/4" = 1'-0"

E2 EXISTING NORTH ELEVATION
SCALE: 1/4" = 1'-0"



E3 EXISTING WEST ELEVATION
SCALE: 1/4" = 1'-0"

E4 EXISTING SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



P1 PROPOSED EAST ELEVATION
SCALE: 1/4" = 1'-0"

P2 PROPOSED NORTH ELEVATION
SCALE: 1/4" = 1'-0"

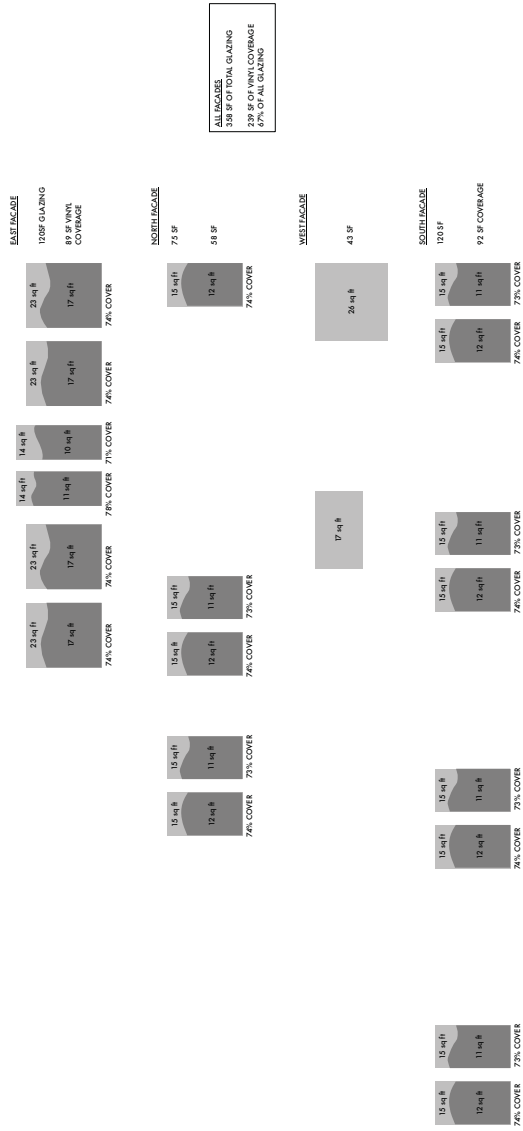
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SCALE: 1/4" = 1'-0"

P4 PROPOSED SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

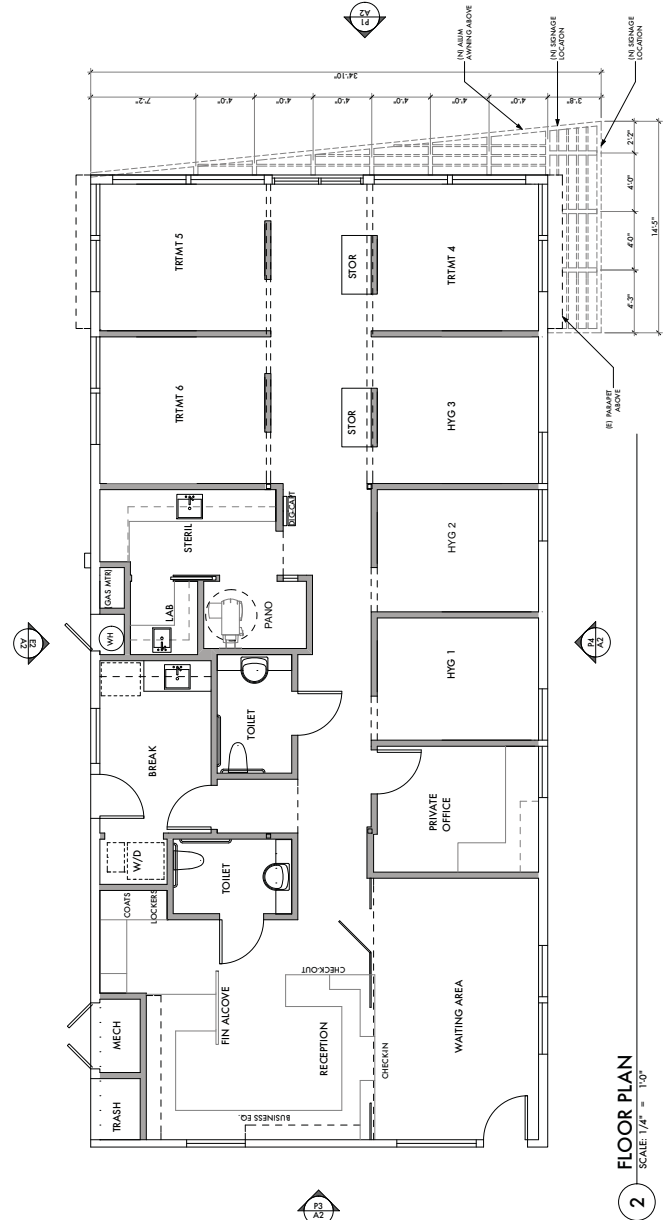


THE ISSUANCE OF A BUILDING PERMIT SHALL NOT BE CONSIDERED AS A GUARANTEE THAT ALL CODE REQUIREMENTS ARE REFLECTED IN THE COMMENT. THE GENERAL CONTRACTOR FOR THE PROJECT SHALL BE ULTIMATELY RESPONSIBLE FOR ENSURING REGULATORY LAWS AND CODE REQUIREMENTS.

BY REVISIONS DATE	
DATE:	5/11/15
SCALE:	AS NOTED
DRAWN BY:	RMM
CHECKED BY:	CM
DATE:	2/17/2016



1 GLAZING COVERAGE DIAGRAM AND PERCENTAGE
SCALE: 1/4" = 1'-0"



niesenstudios
 ARCHITECTURE + DESIGN
 228-E Fifth Street - Santa Cruz CA 95061
 PO Box 1982 - Chula Vista CA 92014
 P 602.304.4247

JOB NAME: RAFFO DENTAL OFFICES
 CLIENT: Michael J. Raffo, DMD
 ADDRESS: 2185 41st Ave
 City, State: Capitola, CA 95010
 APN: 02419202



THE ISSUANCE OF A PLANNING PERMIT SHALL NOT BE
 CONSIDERED AS A GUARANTEE THAT ALL CODE
 REQUIREMENTS ARE REFLECTED IN THE DOCUMENT.
 THE DESIGN CHECKER FOR THE PROJECT
 SHALL BE ULTIMATELY RESPONSIBLE FOR ENSURING
 THAT THE PERMITTED PROJECT COMPLIES WITH ALL
 REGULATIONS, LAWS AND CODE REQUIREMENTS.
 THIS DRAWING AND ALL INFORMATION CONTAINED
 HEREIN IS UNLAWFUL IF NOT MADE IN ACCORDANCE
 WITH THE ABOVE INFORMATION.

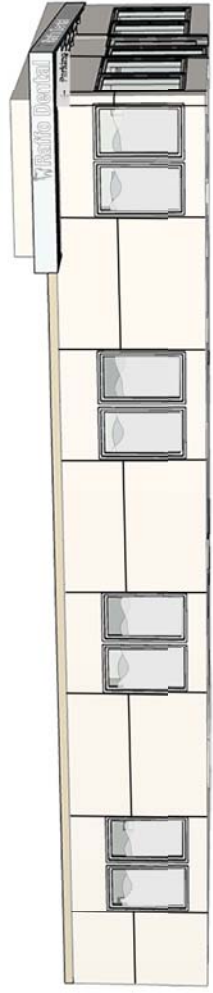
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CHECKED BY:	SM
DATE:	2015-04-08

PERSPECTIVES
A4
 Printed On: 5/8/15



1 NORTH PERSPECTIVE



2 SOUTH PERSPECTIVE



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: JUNE 4, 2015

SUBJECT: **3555 Clares Street, Ste. TT #15-079 APN: 034-261-59**
Conditional Use Permit for sale of beer and wine at an existing restaurant (Roux Dat) in the Community Commercial (CC) zoning district.
This project is not in the Coastal Zone and thus does not require a Coastal Development Permit.
Environmental Determination: Categorical Exemption
Property Owner: Bob Rivers (Brown Ranch Properties)
Representative: Chad Glassley, filed: 4/30/15

APPLICANT PROPOSAL

The applicant submitted a request for a Conditional Use Permit (CUP) for the sale of beer and wine at the existing multi-tenant commercial building located at 3555 Clares Street Suite TT in the CC (Community Commercial) zoning district. The proposed use is consistent with the General Plan and Zoning Ordinance with the issuance of a Conditional Use Permit.

DISCUSSION

The property is located at 3555 Clares Street within Browns Ranch shopping center. There are a mix of retail, restaurants, and personal service establishments within the center. The shopping center is located at the edge of the community commercial district with the mall located across the street and a residential neighborhood sharing the rear property line.

Conditional Use Permit

The applicant is requesting a Conditional Use Permit for onsite sale and consumption of beer and wine within the existing Roux Dat Cajun Creole Restaurant. No hard liquor sales are proposed. In considering an application for a CUP, the Planning Commission must give due regard to the nature and condition of adjacent uses and structures. The municipal code lists additional requirements and review criteria for some uses within the CUP consideration (§17.60.030). There are no specific considerations or requirements for the sale of alcohol within the ordinance. In issuing the CUP, the Planning Commission may impose requirements and conditions with respect to location, design, siting, maintenance and operation of the use as may be necessary for the protection of the adjacent properties and in the public interest.

The restaurant is open 7 days a week, including 11:30 am to 8:00 pm Sunday through Thursday and 11:30 am to 9:00 pm Friday and Saturday. No live music or entertainment is proposed. Food is prepared in the kitchen for onsite dining or carry out. The conditions of the permit will limit beer and wine sales to onsite consumption. No changes are proposed to the interior layout of the restaurant, the exterior façade, or the existing sign. Parking requirements are not influenced by the application.

Police Chief Escalante has reviewed the application and supports the application as conditioned. The conditions of approval will ensure alcohol is only served onsite, no entertainment is allowed without a permit, and that the permit may be brought back to Planning Commission if any issues were to arise. Community Development staff does not have concerns for the alcohol permit at this location. This area is within the regional shopping district and in which there is not an overconcentration of restaurants/bars serving alcohol.

CEQA

This project is categorically exempt under Section 15301 of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations. The proposed project involves an existing restaurant use serving alcohol within an existing restaurant space. No adverse environmental impacts were discovered during project review by either the Planning Department Staff or the Planning Commission.

RECOMMENDATION

Staff recommends the Planning Commission approve application #15-079, subject to the following conditions and based upon the following findings:

CONDITIONS

1. The project approval consists of a Conditional Use Permit to allow onsite sale and consumption of beer and wine at the existing Roux Dat Restaurant located at 3555 Clares Street Suite TT, Capitola, CA. No modifications to the exterior or interior of the building are proposed. Parking requirements are not affected by this application.
2. The restaurant is open 7 days a week from 11:30 to 8:00 Sunday through Thursday and 11:30 to 9:00 pm Friday and Saturday.
3. The establishment must maintain a valid license from the Alcohol Beverage Control. A copy of the approved Department of Alcoholic Beverage Control Permit must be filed with the Community Development Department prior to initiating beer and wine sales.
4. No live or amplified entertainment is approved within this permit (15-079). An Entertainment Permit is required for any entertainment that is audible outside of the structure. An Entertainment Permit may be applied for through the Capitola Police Department.
5. Patrons shall not be allowed to leave with open alcoholic beverage containers.
6. Permits are non-transferrable.
7. The applicant shall receive permission from ABC prior to June 4, 2017. The conditional use permit will expire in the case where the conditional use permit has not been used within two years after the date of granting thereof. Any interruption or cessation beyond the control of the property owner shall not result in the termination of such right or privilege. A permit shall be deemed to have been "used" when actual substantial, continuous activity has taken place upon the land pursuant to the permit.
8. The applicant is required to complete and follow the Responsible Beverage Service (RBS) practices and procedures. Employees who serve alcoholic beverages are required to attend and complete L.E.A.D.S. training offered by the Capitola Police Department.
9. The applicant is responsible for maintaining the area directly in front of the business free from litter and/or graffiti.

10. The applicant was granted a conditional use permit for the sale of beer and wine. In any case where the conditions of the permit have not been or are not complied with, the community development director shall give notice thereof to the permittee, which notice shall specify a reasonable period of time within which to perform said conditions and correct said violation. If the permittee fails to comply with said conditions, or to correct said violation, within the time allowed, notice shall be given to the permittee of intention to revoke such permit at a hearing to be held not less than thirty calendar days after the date of such notice. Following such hearing and, if good cause exists therefore, the Planning Commission may revoke the permit.

FINDINGS

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

Community Development Staff and the Planning Commission have reviewed the project and determined that the proposed use is permitted in the CC (Community Commercial) Zoning District with a Conditional Use Permit. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance and General Plan.

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

Community Development staff and the Planning Commission have reviewed the project and determined that the proposed beer and wine sales within the existing restaurant will not have a negative impact on the character and integrity of the commercial area. Conditions of approval have been included to ensure that the project maintains the character and integrity of the area.

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

The proposed project involves a conditional use permit to allow sale of beer and wine within and existing restaurant. No adverse environmental impacts were discovered during project review by either the Community Development staff or the Planning Commission.

ATTACHMENTS

- A. Letter from applicant

**Report Prepared By: Katie Cattan, AICP
Senior Planner**

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Roux Dat proudly serves fairly priced but profitable, fast casual, Cajun/Creole food that supports local sustainability and the environment. The flavors and the atmosphere are as big and bold as the city of New Orleans. Absolute guest satisfaction is our highest priorities.

The owners Chad and Aurelia Glassley will realize their dream of opening an inspired New Orleans style restaurant in Capitola, California. We discovered this was our passion when everything we cooked, our vacations, the music we listened to, the majority of the restaurants we went out to eat at and even a presentation given for a job interview was on Cajun/Creole life.

After realizing our enthusiasm for this cuisine we developed a menu that represented inspired Cajun/Creole dishes. We will be serving time honored dishes and will source high quality local ingredient to make gumbos, jambalayas, etouffees, stews and sauces. All of our menu items will be prepared from scratch just as the people who created the amazing dishes did and never ever being prepackaged.

Keeping with our theme of producing flavorful menu items with local ingredient, we will stick to this approach when it comes to our beer and wine list. Understanding the growing demand for local craft beer Roux Dat will make this their primary focus of the beer list. Secondary, on this list will be regional beer favorites from New Orleans and the state of Louisiana. Roux Dat will offer bottles of beer, keeping the expenses low without having to buy a kegging system and being able to track inventory more efficiently.

Living and owning a restaurant in wine country it would only make sense for Roux Dat to fill the wine list with local wineries. We will offer a house red and a house white that can be consumed by the glass or bottle. Roux Dat will keep their beer and wine selections to a minimal amount, this will prevent money from being tied up in inventory and reduce waste.

Pricing is as followed:

Domestic Beer & Craft Import Beer \$5

Wine \$6

Roux Dat will provide outstanding service 7 days a week from 11:30 -8:00 Monday –Thurs - 11:30-9 Friday & Saturday. Our service at Roux Dat will be over accommodating to our guest. This starts with our team members understanding that we are in this industry to serve and inform our guest about our products. Our goal is to have our clients leave feeling they received a little more than expected with each visit and tell a friend about their experience.

The customer base we will be locals, students, daytime employees, shoppers and socialite community. We feel that with this diverse group we will be able successfully market and give customers something they desire. Understanding that Roux Dat needs repeat business and that we value the long term customers we will offer discounted menu items for their loyalty.

Chad Glassley will be the Chef/Owner of the restaurant. Chad has extensive management experience from over 17 years in the culinary field with 9 of those years as an Executive Chef managing employees and expenses. Chef Chad not only excels in recipe development, but also cost controls and analysis. This experience is the most important to Roux Dat's financial success, which will be achieved through strict financial and menu controls.



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: JUNE 4, 2015

SUBJECT: **429 Riverview Avenue #13-179 APN: 035-121-034**
 Design Permit, Conditional Use Permit, and Variance for non-conforming structure and setback requirements for an addition to an existing single family home in the R-1 (Single Family) zoning district.
 This application requires a Coastal Development permit which is appealable to the California Coastal Commission after all possible appeals are exhausted through the City.
 Environmental Determination: Exempt
 Property Owner: Mike and Cindy Reardon
 Representative: Derek Van Alstine

APPLICANT PROPOSAL

The applicant submitted a Design Permit, Variance, Conditional Use Permit, and Coastal Development Permit application for an addition to a historic, single-family home located at 429 Riverview Avenue (Attachment A: Plans). The project is located in the R-1 (Single Family) zoning district. The applicant is proposing an addition located on the front of the home along Riverview Avenue, with additional living space above an open covered parking area.

BACKGROUND

The original application was submitted in December of 2013. The application was reviewed by Architectural Historian Leslie Dill. In March of 2014, the applicant was provided with a list of recommended revisions to bring the application into compliance with the Secretary of Interior Standards. The project was put on hold for approximately 9 months. Updated plans were submitted in late January 2015. On March 26, 2015, the Architectural Historian made findings that the updated plans were in compliance with the Secretary of Interior Standards pending minor modifications (Attachment B). The current plans under review incorporate the suggested modifications by the Architectural Historian.

On May 13, 2015, the Architectural and Site Review Committee reviewed the application.

- City Architect Representative, Frank Phanton, reviewed the application and expressed that the design does a good job of preserving the historic structure.
- City Landscape Representative, Craig Waltz, had no comments.
- City Public Works Representative, Danielle Uharriet, provided the applicant with storm water requirements and requested that sheet E-1 be updated to match the storm water permit project application form.
- City Building Official, Brian Van Son, informed the applicant of fire sprinkler requirements and a no rise study prior to building permit.
- The City Historian, Carolyn Swift, thought the design addressed the historic home well.

SITE PLANNING AND ZONING SUMMARY

The applicant is proposing rehabilitation of the existing house and a new addition on the front of the structure. To maintain the existing mass and scale of the historic home, the applicant has extended the addition into the front yard setback area. The applicant is requesting a variance to the front yard setback, the side yard setback on the second story, and parking space dimensions. The follow table outlines the zoning code requirements for development in the R-1 (Single Family Residential) Zoning District relative to the application:

Historic		
Level of Historic Feature (local/state/federal or n/a)	Old Riverview Historic District	
Significant Alteration of Historic Feature? (CUP required)	Yes. CUP required	
Development Standards		
Building Height	R-1 Regulation	Proposed
	25'-0"	22' – 0"
Floor Area Ratio (FAR)		
Lot Size	3096 sq. ft.	
Maximum Floor Area Ratio	57% (Max 1,764 sq. ft.)	
First Story Floor Area	1,037 sq. ft.	
Second Story Floor Area	727 sq. ft.	
TOTAL FAR	1,764 sq. ft.	
Yards (setbacks are measured from the edge of the public right-of-way)		
	R-1 Regulation	Proposed
Front Yard 1st Story	15 feet Existing: 19 feet	6.5 ft. from right-of-way Variance Requested
Front Yard 2nd Story & Garage	20 feet	6.5 ft. from right-of-way Variance Requested
Side Yard 1st Story	10% lot width Lot width 30' 3 ft. min.	0 ft. south property line – Existing non-conforming 3 ft. from property line
Side Yard 2nd Story	15% of width Lot width 30' 4.5 ft. min	3 ft. from property line Variance Requested
Rear Yard 1st Story	20% of lot depth Lot depth 103' 20 ft. min.	20 ft. from property line
Encroachments (list all)	Block retaining wall; deck	None
Parking		
	Required	Proposed
Residential (from <u>1500</u> up to <u>2000</u> sq. ft.)	2 spaces total (1 covered) 10' x 20' spaces	2 spaces total 2 covered Variance Requested. Substandard parking space 8.5' x 18'
Garage and Accessory Bldg.		Located in front yard setback. Variance Requested.
Underground Utilities: required with 25% increase in area		Underground Utilities Required

DISCUSSION

The structure at 429 Riverview Avenue is located within the Old Riverview Historic District. The home was built during the settlement period of the district (1925 – 1930). The Old Riverview District consists primarily of one and two-family, wood-frame homes that are located along the Soquel River. The character defining features of the historic home at 429 Riverview Avenue include the one and a

half story main wing with the the distinctive bell-cast roofline, simple bargeboards with tapered ends, turned finials at the apex of the end gables, board and batten siding, two original wood casement windows, and French doors.

Non-Conforming Structure

The historic structure does not comply with the side yard setback regulations of the zoning code; and therefore, is a non-conforming structure. Pursuant to code section 17.72.070, an existing non-complying structure that will be improved beyond 80% of the present fair market value of the structure, may not be made unless the structure is brought into compliance with the current zoning regulations. The building official has reviewed the existing versus proposed values and concluded that the new addition will exceed the 80% threshold. To bring the historic home into compliance with setbacks would require removing a portion of the historic home and is contrary to historic preservation. The applicant is requesting a variance for t the non-conforming structure requirements of §17.72.070. It should also be noted that the applicant is requesting a variance to build the new addition within the required front yard setback. This will add to the non-conforming status of the structure. By locating the addition in the front yard the home owner is able to attain the additional space they desire without impacting the historic form and scale of the original cottage.

Variance

The applicant is requesting a variance for the front and side yard setbacks and the non-conforming structure 80% threshold. The new addition is located within 6.5 feet of the front property line and 3 feet on the second story from the side property line.

Pursuant to §17.66.090, the Planning Commission, on the basis of the evidence submitted at the hearing, may grant a variance permit when it finds:

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

The special circumstance applicable to the subject property is that the existing cottage is historic. The historic resource is protected within the municipal code and under CEQA. To bring the historic cottage into compliance with the setback regulations would require a portion of the historic home to be removed. To do so would modify the massing of the original cottage and would be contrary to the Secretary of Interior Standards. The new addition is placed within the front yard setback to preserve the massing of the historic structure. The applicant is requesting a variance to the setbacks to follow accepted preservation practices. Many of the historic cottages throughout the Old Riverview Historic District were built prior to current setback standards and do not conform. This is a privilege enjoyed by others throughout the district. A finding can be made that the variance would not constitute a grant of special privilege inconsistent with other properties in the area.

Historic preservation is a priority within the City of Capitola. Goal LU-2 of the Capitola General Plan states “*Preserve historic and cultural resources in Capitola.*” The General Plan includes the following policy statements in support of the variance for the historic cottage and applications of the Secretary of Interior’s Standards:

GP-Policy LU-2.1: Historic Structures. *Encourage the preservation, restoration, rehabilitation, maintenance, and adaptive reuse of important historic structures in Capitola.*

GP-Policy LU 2.2: Modification Standards. *Use the U.S Secretary of the Interior’s Standards for the Treatment of Historic Properties as a guide for exterior modification to identified historic resources.*

Compliance with Historic Standards

The applicant submitted a historic background and description and an assessment on compliance with the Secretary of Interior Standards by Historian Kent L. Seavey (Attachment C). At time of submittal, staff sent the plans and Mr. Seavey's report out for a third party technical review by Architectural Historian, Leslie Dill. Ms. Dill did not agree with Mr. Seavey's original review of the addition and identified standards that were not in compliance under the original design. Home designer, Derek Van Alstine, worked with Ms. Dill to address her design concerns. On March 26, 2015, Ms. Dill made finding for compliance with the Secretary of Interior Standards, as conditioned.

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 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 #13-179 based on the findings and conditions.

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 historic resource contributing to a historic district with the proposed design. A variance has been granted to preserve the location of the historic structure and allow the non-conforming structure to continue.

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 addition to the historic resource. The new addition will not overwhelm the historic structure. The home is located within the Old Riverview Historic District and will continue to be a contributing structure within the district. The design does not compromise the integrity of the historic resource.

C. This project is categorically exempt under Section 15331 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 in the R-1 (Single-Family Residential) Zoning District. No adverse environmental impacts were discovered during review of the proposed project.

CONDITIONS

1. The project approval consists of an addition to an existing historic resource located at 429 Riverview Avenue. The project approval consists of construction of a 606 square-foot addition to a 1,764 square-foot single family home. The maximum Floor Area Ratio for the 3,096 square foot property with accessory dwelling is 57% (1,764 square feet). The total FAR of the project is 57% with a total of 1,764 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 4, 2015, except as modified through conditions imposed by the Planning Commission during the hearing.

2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans.
3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
4. At time of submittal for building permit review, a no rise study must be submitted to the City at the satisfaction of the Building Official.
5. At time of building plan submittal, the plans shall include a language on the cover sheet referring to the intent of the Secretary of Interior Standards and specifically reference Standard #6. The plans shall identify specific repairs at the time of submittal of the building permit drawings.
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. At the time of building plan submittal, all proposed preservation treatments (e.g., epoxy wood consolidant and paint preparation techniques), shall be identified on the plans.
8. At the time of submittal for building permit review, Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP) shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP).
9. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval 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 #14-116 shall be paid in full.
13. 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.

Item #: 5.A. 429 Riverview Staff Report.pdf

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.
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 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.
21. 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.
22. The applicant was granted a conditional use permit for the alteration to a historic structure. In any case where the conditions of the permit have not been or are not complied with, the community development director shall give notice thereof to the permittee, which notice shall specify a reasonable period of time within which to perform said conditions and correct said violation. If the permittee fails to comply with said conditions, or to correct said violation, within the time allowed, notice shall be given to the permittee of intention to revoke such permit at a hearing to be held not less than thirty calendar days after the date of such notice. Following such hearing and, if good cause exists therefore, the Planning Commission may revoke the permit.
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. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.

24. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
25. Upon receipt of certificate of occupancy, garbage and recycling containers shall be shielded and placed out of public view on non-collection days.

ATTACHMENTS

Attachment A: Plans

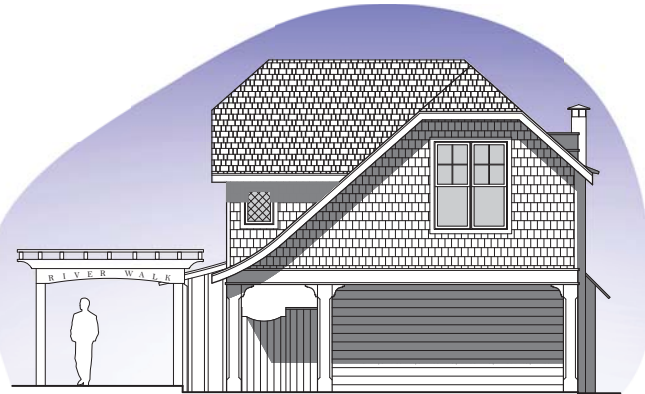
Attachment B: Historic Review – Leslie Dill of Archives and Architecture

Attachment C: Historic Review - Kent L. Seavey

Attachment D: Coastal Findings

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REARDON RESIDENCE



VICINITY MAP



PARCEL MAP



STRUCTURAL DATA

SETBACKS		REQUIRED	PROPOSED
FRONT YARD			
GARAGE		40'-0"	-
1st STORY		15'-0"	-
2nd STORY		15'-0"	-
REAR YARD			
1st STORY	20'-7" (120% LOT DEPTH)	17'-7" (EXISTING TO REMAIN)	
2nd STORY	20'-7" (120% LOT DEPTH)	40'-10"	
SIDE YARD			
1st STORY	3'-0" (L) & (R)	3'-0" (L) & (R)	
2nd STORY	3'-0" (L) & (R)	3'-0" (L) & (R)	
HEIGHT		25'-0"	22'-7"
FLOOR AREA RATIO		LOT SIZE	MAX (57%)
		3,096 sq.ft.	1,764 sq.ft.
		PROPOSED (57%)	1,764 sq.ft.
		EXISTING HABITABLE SPACE	ADDITIONAL HABITABLE SPACE
(P) 1st STORY	931 S.F.	106 S.F.	67 S.F.
(P) 2nd STORY	227 S.F.	500 S.F.	-
(P) TOTAL	1,158 S.F.	606 S.F.	PORCH CREDIT
			1,764 S.F.
PARKING		REQUIRED	PROPOSED
		1 COVERED	2 COVERED
			1 MICRO CV SPACE
TOTAL		1 SPACE	2 SPACES

* THERE IS A CREDIT OF 150 sq.ft. FOR FIRST FLOOR COVERED PORCHES.

BUILDING INFORMATION

PROJECT DESCRIPTION:
REMODEL OF EXISTING HISTORIC 1,158 sq.ft. SINGLE FAMILY RESIDENCE, WITH 606 S.F. TWO-STORY ADDITION.

PROJECT ADDRESS:
429 RIVERVIEW AVE.
CAPITOLA, CA 95010

PARCEL NUMBER:
035-121-034

ZONING DESIGNATION:
R1

OCCUPANCY CLASSIFICATION:
R-3

CONSTRUCTION TYPE:
TYPE V-B

CODE NOTE:
THESE PLANS CONFORM TO THE 2013 CALIFORNIA RESIDENTIAL, MECHANICAL, PLUMBING, ELECTRICAL AND ENERGY CODE, STRUCTURAL ENGINEERING TO CONFORM TO 2013 CALIFORNIA BUILDING CODE (I.E., IRC, IBC, UMC, UPC, AND NEC) AS AMENDED BY THE STATE OF CALIFORNIA.

CONTACTS

OWNER:
MIKE & GINDY REARDON
429 RIVERVIEW AVE.
CAPITOLA, CA 95010
(408) 268-3804

PROJECT DESIGNER:
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DEREK VAN ALSTINE
716 SOQUEL AVENUE SUITE A
SANTA CRUZ, CA 95062
PH: (831) 426-0400
FAX: (831) 426-0446
derek@vanalstine.com

STRUCTURAL ENGINEER:
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LEONARD WILLOU, P.E.
716 SOQUEL AVENUE SUITE A
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FAX: (831) 426-0446
redwoodenginc@prodigy.net

SURVEYOR:
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2275 KINGSLEY STREET #3
SANTA CRUZ, CA 95062
PH: (831) 475-8695
FAX: (831) 465-6514

LANDSCAPE ARCHITECT:
ELLEN COOPER & ASSOCIATES
ELLEN COOPER
612 WINDSOR STREET
SANTA CRUZ, CA 95062
PH: (831) 426-6045
FAX: (831) 426-6045

ENERGY COMPLIANCE:
AREA TITLE-24
LYNETTE SERGIUS
P.O. BOX 4014
REITON, CA 95018
PH: (831) 335-3656
FAX: (831) 335-7446

DRAWING INDEX

BUILDING DESIGN	
T1	TITLE SHEET
SURVEY	
E1	EXISTING SITE PLAN
E2	EXISTING / DEMOLITION LOWER LEVEL FLOOR PLAN
E3	EXISTING / DEMOLITION UPPER LEVEL FLOOR PLAN
E4	EXISTING EXTERIOR ELEVATIONS
E5	EXISTING EXTERIOR ELEVATIONS
SURVEY	
A1	SITE PLAN
A2	LOWER LEVEL FLOOR PLAN
A3	UPPER LEVEL FLOOR PLAN
A4	ROOF PLAN
A5	EXTERIOR ELEVATIONS
A6	EXTERIOR ELEVATIONS

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DVRD
DEREK VAN ALSTINE
DESIGN

REARDON RESIDENCE
429 RIVERVIEW AVENUE
CAPITOLA, CA 95010

035-121-34

ISSUE DESCRIPTION
REVISED
NOV-2
HISTORIC S
JAN-6
PLANNING S
REVISION S
REVIS

REVISIONS

TITLE SHEET

1

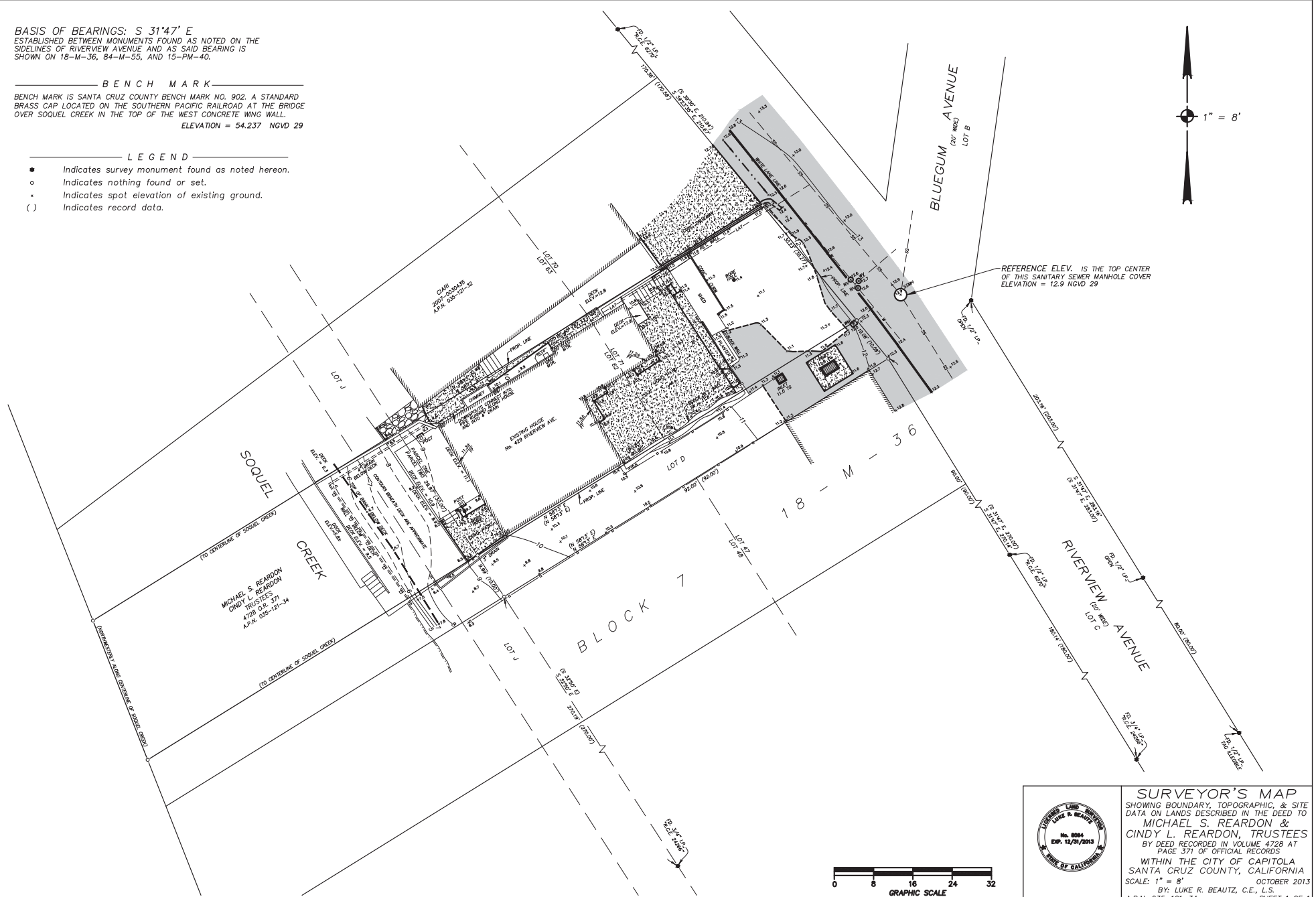
Item #: 5.A. Attachment A. Plans..pdf

NOT FOR CONSTRUCTION

BASIS OF BEARINGS: S 31°47' E
 ESTABLISHED BETWEEN MONUMENTS FOUND AS NOTED ON THE
 SIDELINES OF RIVERVIEW AVENUE AND AS SAID BEARING IS
 SHOWN ON 18-M-36, 84-M-55, AND 15-FM-40.

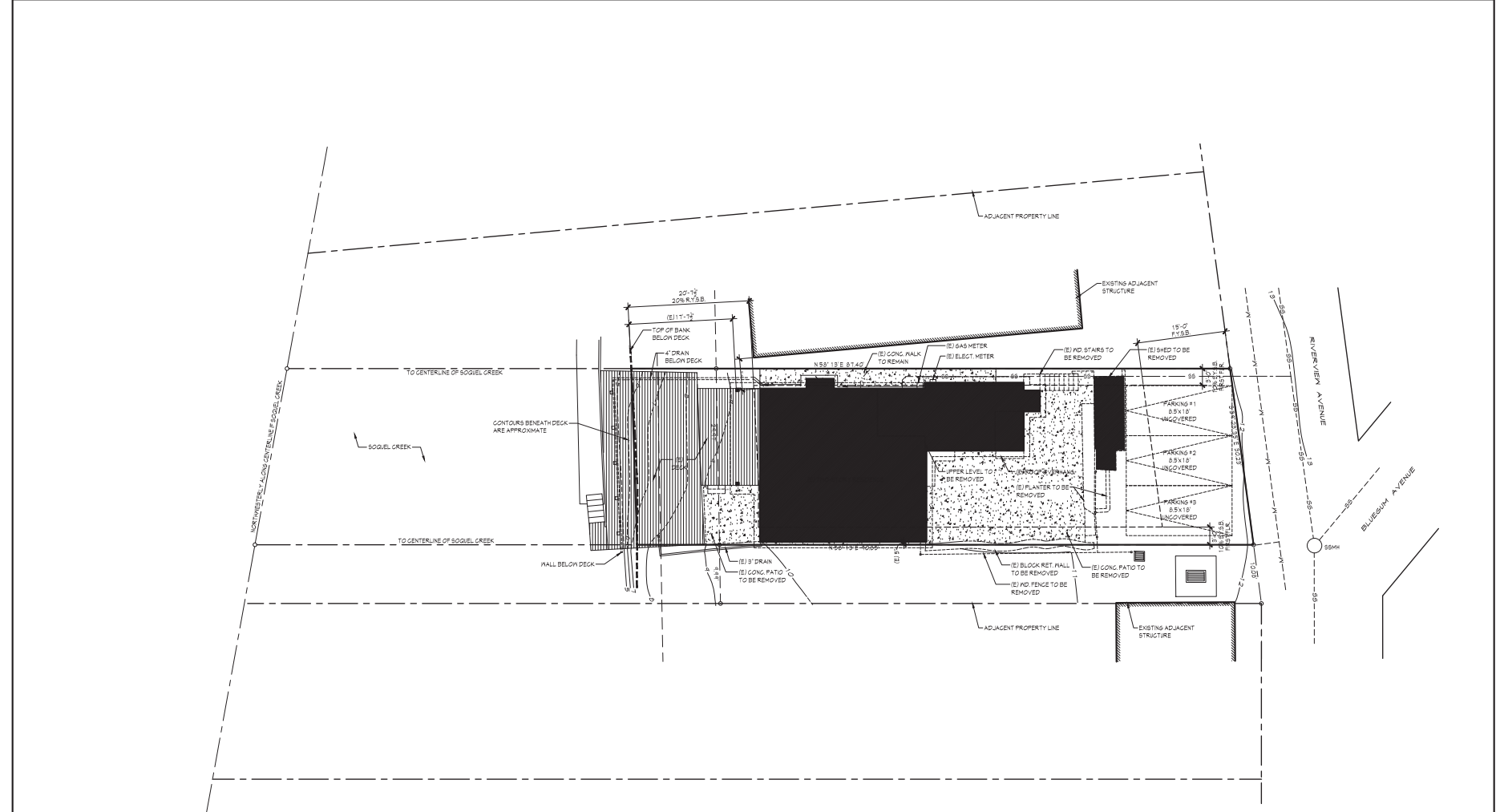
BENCH MARK
 BENCH MARK IS SANTA CRUZ COUNTY BENCH MARK NO. 902, A STANDARD
 BRASS CAP LOCATED ON THE SOUTHERN PACIFIC RAILROAD AT THE BRIDGE
 OVER SOQUEL CREEK IN THE TOP OF THE WEST CONCRETE WING WALL.
 ELEVATION = 54.237 NGVD 29

- LEGEND**
- Indicates survey monument found as noted hereon.
 - Indicates nothing found or set.
 - * Indicates spot elevation of existing ground.
 - () Indicates record data.



SEAL OF THE
 STATE OF CALIFORNIA
 SURVEYOR
 LUKE R. BEAUTZ
 No. 8084
 Exp. 12/31/2013

SURVEYOR'S MAP
 SHOWING BOUNDARY, TOPOGRAPHIC, & SITE
 DATA ON LANDS DESCRIBED IN THE DEED TO
**MICHAEL S. REARDON &
 CINDY L. REARDON, TRUSTEES**
 BY DEED RECORDED IN VOLUME 4728 AT
 PAGE 371 OF OFFICIAL RECORDS
 WITHIN THE CITY OF CAPITOLA
 SANTA CRUZ COUNTY, CALIFORNIA
 SCALE: 1" = 8'
 BY: LUKE R. BEAUTZ, C.E., L.S.
 A.P.N. 035-121-34



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

EXISTING IMPERVIOUS COVERAGE	
STRUCTURE:	
MAIN RESIDENCE:	949 S.F.
SHED:	74 S.F.
TOTAL:	1,023 S.F.
WALKS:	
DRIVEWAY:	546 S.F.
WALKS & PATIO:	218 S.F.
TOTAL:	764 S.F.
TOTAL EXISTING IMPERVIOUS COVERAGE:	1,787 S.F.

DEREK VAN ALSTINE
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DVRD
DEREK VAN ALSTINE
DESIGN

REARDON RESIDENCE
429 RIVERVIEW AVENUE
CANTOLA, CA 95010

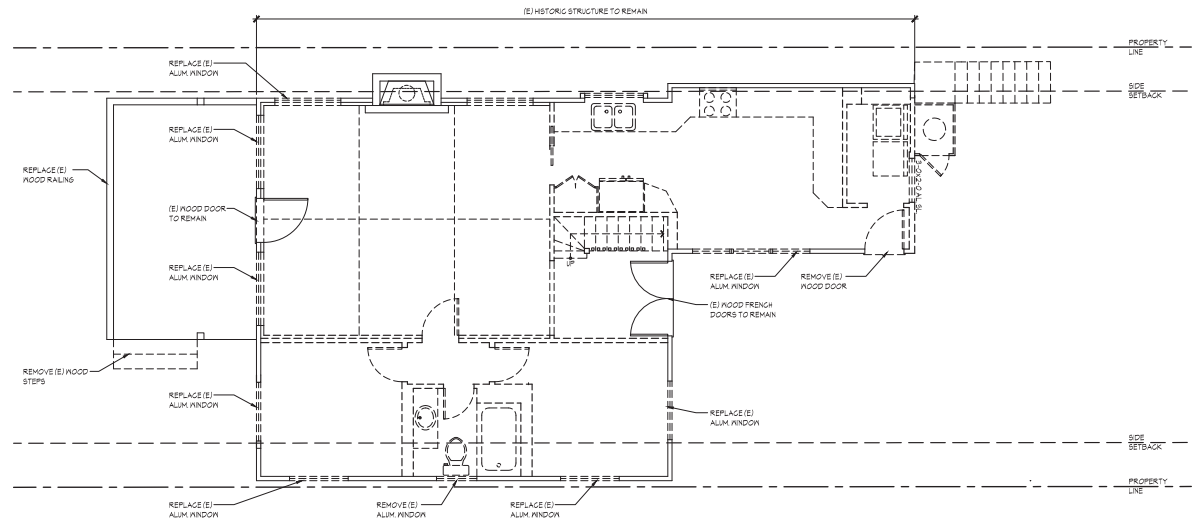
038-121-34

ISSUE DESCRIPTION
PRELIMINARY
NOV-2
HISTORIC 5
JAN-0
PLANNING 3
BUILDING 8
REVIS

Item #: 5.A. Attachment A. Plans..pdf
EXISTING SITE PLAN



ISSUE DESCRIPTION
PRELIMINARY DESIGN
NOV-22-13
HISTORIC SUBMITTAL
JAN-05-15
PLANNING SUBMITTAL
BUILDING SUBMITTAL
REVISIONS



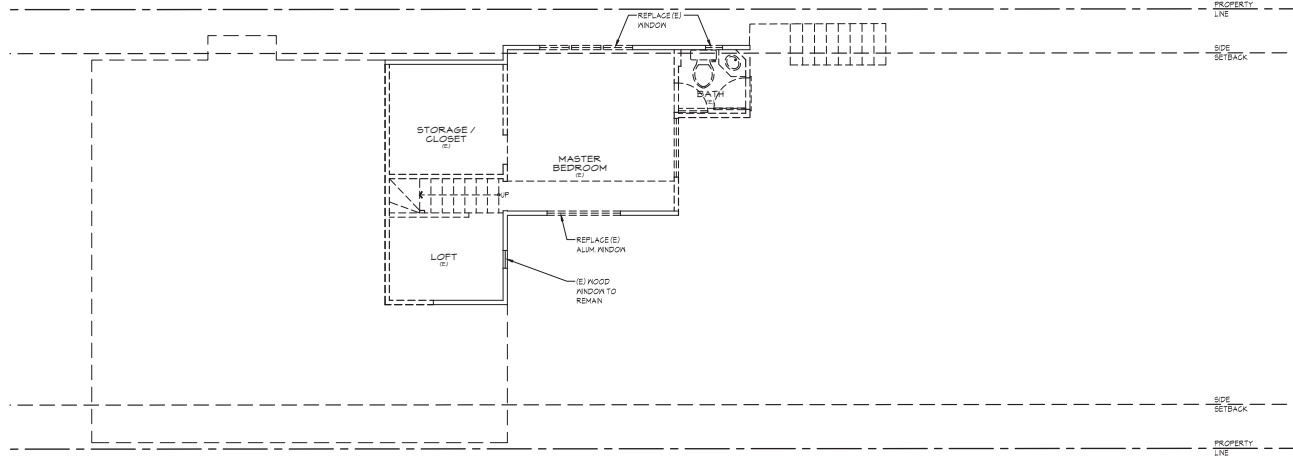
1 EXISTING / DEMOLITION LOWER LEVEL FLOOR PLAN
SCALE: 1/4" = 1'-0"

WALL LEGEND

[Solid line]	EXISTING WALL TO REMAIN
[Dashed line]	EXISTING WALL TO BE REMOVED

NOT FOR CONSTRUCTION

11/22/2015 9:35 AM



1 EXISTING / DEMOLITION UPPER LEVEL FLOOR PLAN
SCALE: 1/4"=1'-0"

WALL LEGEND

	EXISTING WALL - TO REMAIN
	EXISTING WALL TO BE REMOVED

035-121-34
ISSUE DESCRIPTION
PRELIM
NOV-2
HISTORIC 5
JAN-6
PLANNING 3
BUILDING 5
REVIS

Item #: 5.A. Attachment A. Plans..pdf

DVRD
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DESIGN

REARDON RESIDENCE
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CAPITOLA, CA 95010

DEREK VAN ALSTINE
RESIDENTIAL DESIGN INC.
716 SOCO DRIVE, SUITE 100, CAPITOLA, CALIFORNIA
95010-5486 FAX: 831.426.4846 FAX

038-121-94

ISSUE DESCRIPTION

SCHEMATIC DESIGN

NOV-22-13

HISTORIC SUBMITTAL

JAN-05-15

PLANNING SUBMITTAL

REVISIONS

REVISIONS

REVISIONS

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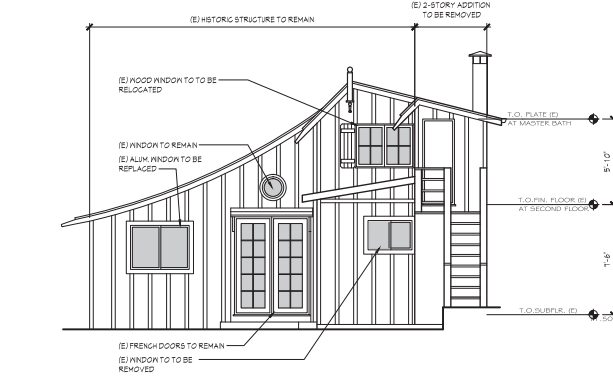
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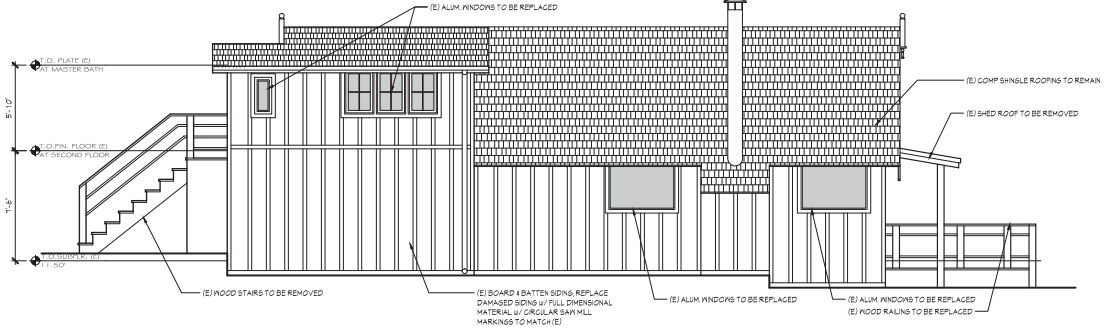
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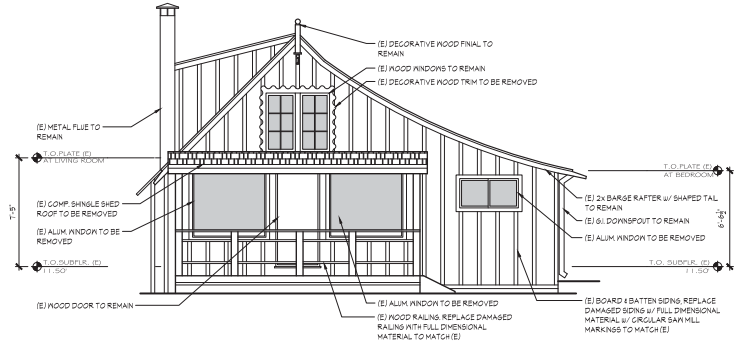


1 EAST ELEVATION
SCALE: 1/4" = 1'-0"

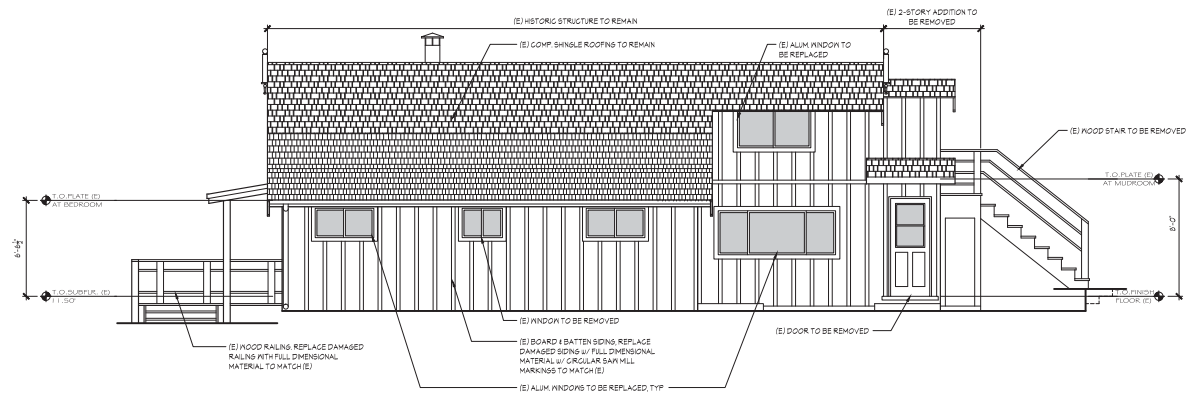


2 NORTH ELEVATION
SCALE: 1/4" = 1'-0"

NOT FOR CONSTRUCTION



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



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

DEREK VAN ALSTINE
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DVDR
DEREK VAN ALSTINE
DESIGNS

REARDON RESIDENCE
429 RIVERVIEW AVENUE
CAPITOLA, CA 95010

038-121-34

ISSUE DESCRIPTION
PRELIMINARY
NOV-2
HISTORIC 8 JAN-0
PLANNING 3
REVISION 8
REVISED

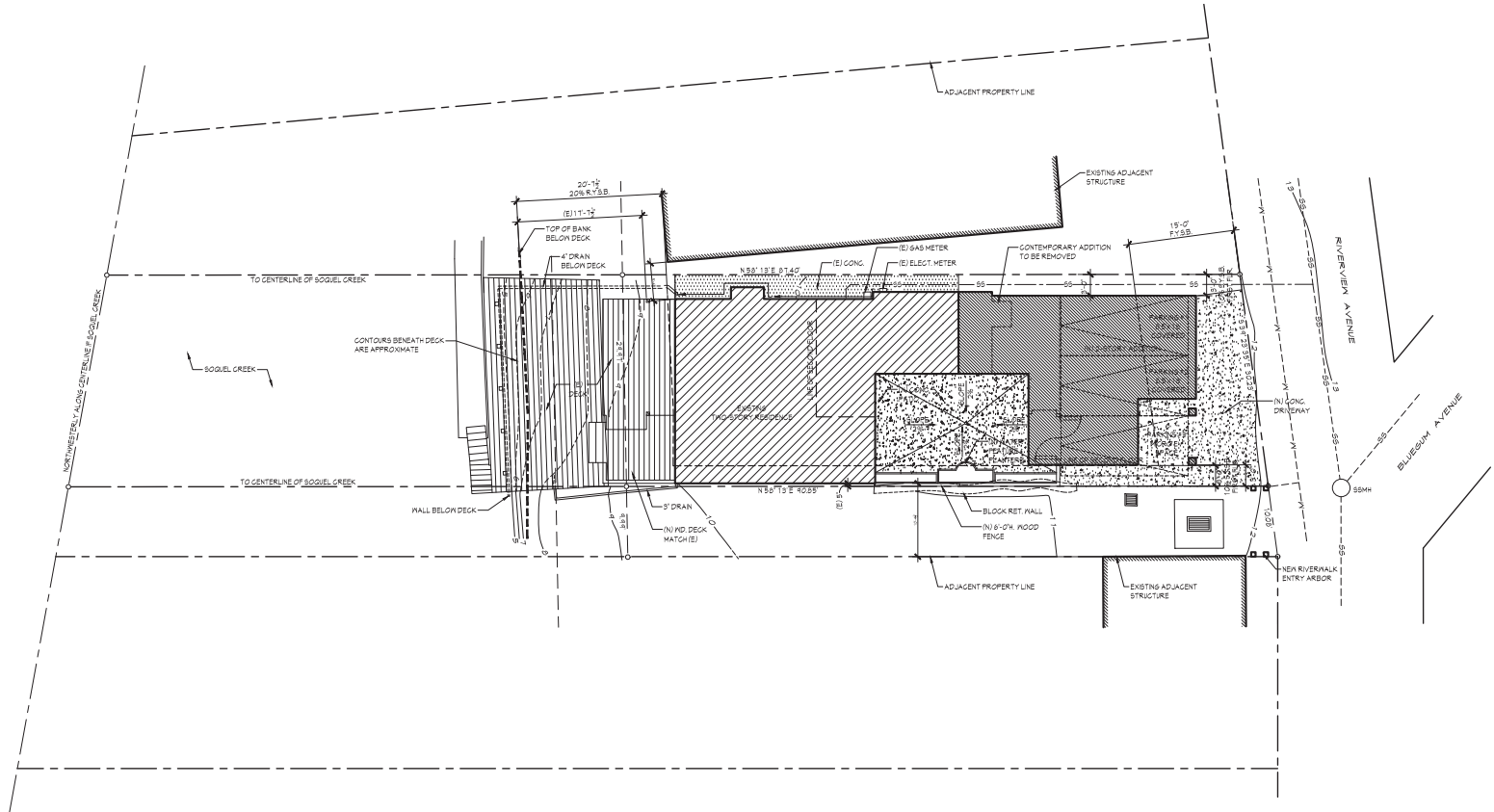
Item #: 5.A. Attachment A. Plans..pdf

EXISTING EXTERIOR ELEVATION

NOT FOR CONSTRUCTION

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4/22/2015 9:35 AM



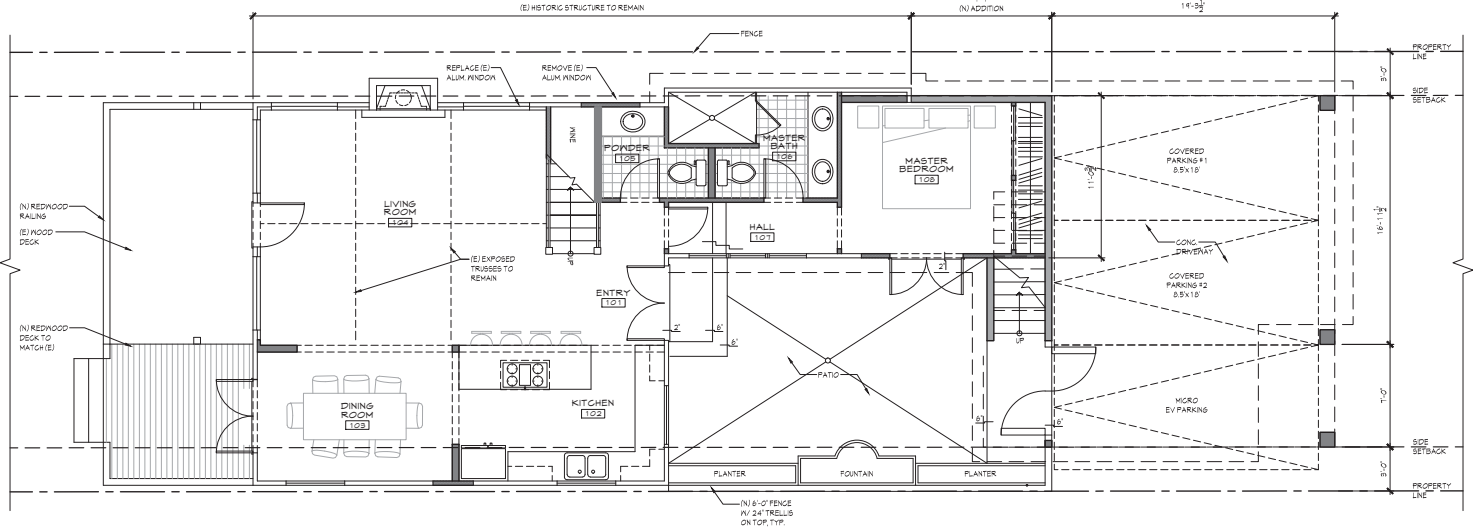
1 **SITE PLAN**
SCALE: 1/8" = 1'-0"



NOT FOR
CONSTRUCTION

Item #: **5.A. Attachment A. Plans..pdf**
 DEREK VAN ALSTINE
 RESIDENTIAL DESIGN, INC.
 DV
 429 RIVERVIEW AVENUE
 CAPITOLA, CA 95010
 REARDON RESIDENCE
 429 RIVERVIEW AVENUE
 CAPITOLA, CA 95010
 035-121-34
 ISSUE DESCRIPTION
 PRELIMINARY DESIGN
 NOV-22-13
 HISTORIC SUBMITTAL
 JAN-05-15
 PLANNING SUBMITTAL
 BILLING SUBMITTAL
 REVISIONS
 SITE PLAN
A 1

11/22/2018 10:35:51 AM



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

WALL LEGEND	
	EXISTING WALL TO REMAIN
	NEW 2x4 STUD WALL
	NEW 2x6 STUD WALL

DEREK VAN ALSTINE
RESIDENTIAL DESIGN INC.
718 SOCO DRIVE, SUITE 100, HORNIA
SUNBURY, OHIO 43084-5486 FAX

DVDR
Derek Van Alstine
DESIGNER

REARDON RESIDENCE
429 RIVERVIEW AVENUE
CAPITOLA, CA 95010

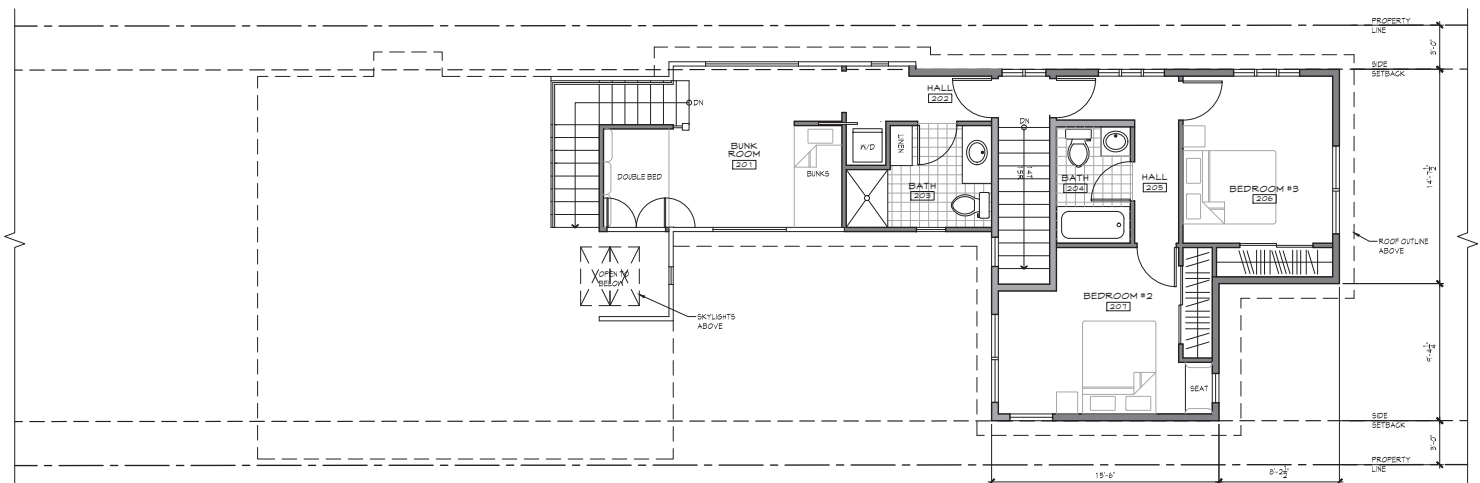
038-121-34

ISSUE DESCRIPTION
PRELIMINARY
NOV-2
HISTORIC 8
JAN-0
PLANNING 3
BUILDING 8
REVIS

Item #: 5.A. Attachment A. Plans..pdf

LOWER LEVEL FLOOR PLAN

4/22/2015 9:35 AM



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

NOT FOR
CONSTRUCTION

035-121-34

ISSUE DESCRIPTION

SCHEMATIC DESIGN

NOV-22-13

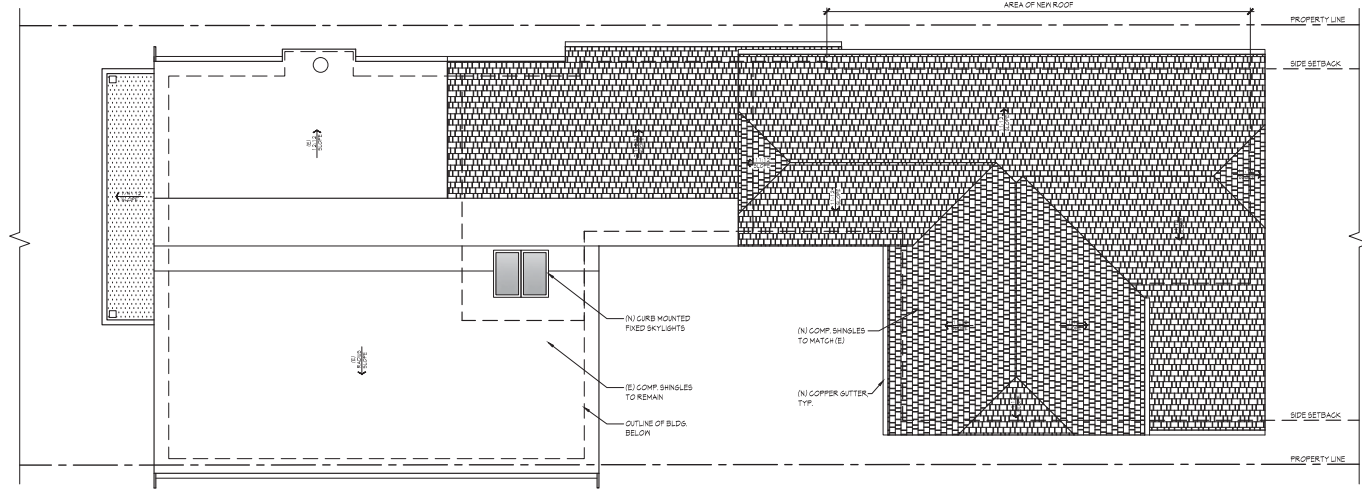
HISTORIC SUBMITTAL

JAN-05-15

PLANNING SUBMITTAL

RELEASING SUBMITTAL

REVISIONS



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

NOT FOR CONSTRUCTION

ISSUE DESCRIPTION
ISSUE 1
NOV-2
HISTORIC 8
JAN-0
PLANNING 3
BUILDING 8
REVIS

Item #: 5.A. Attachment A. Plans..pdf

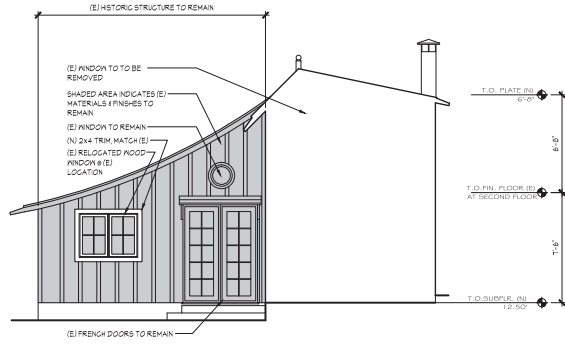
DVRD
DEREK VAN ALSTINE
DESIGN INC.

REARDON RESIDENCE
429 RIVERVIEW AVENUE
CAPITOLA, CA 95010

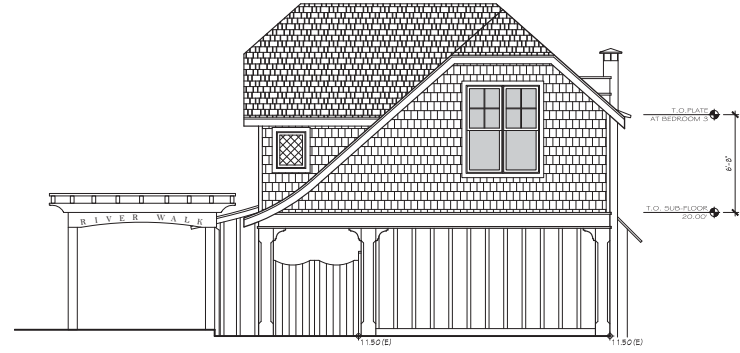
DEREK VAN ALSTINE
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78 SOCKE ROAD, SUITE 100, CAPITOLA, CALIFORNIA 95010
TEL: 831.338.4444 FAX: 831.338.4446

ISSUE DESCRIPTION
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NOV-22-13
HISTORIC SUBMITTAL JAN-05-15
PLANNING SUBMITTAL
BUILDING SUBMITTAL
REVISIONS

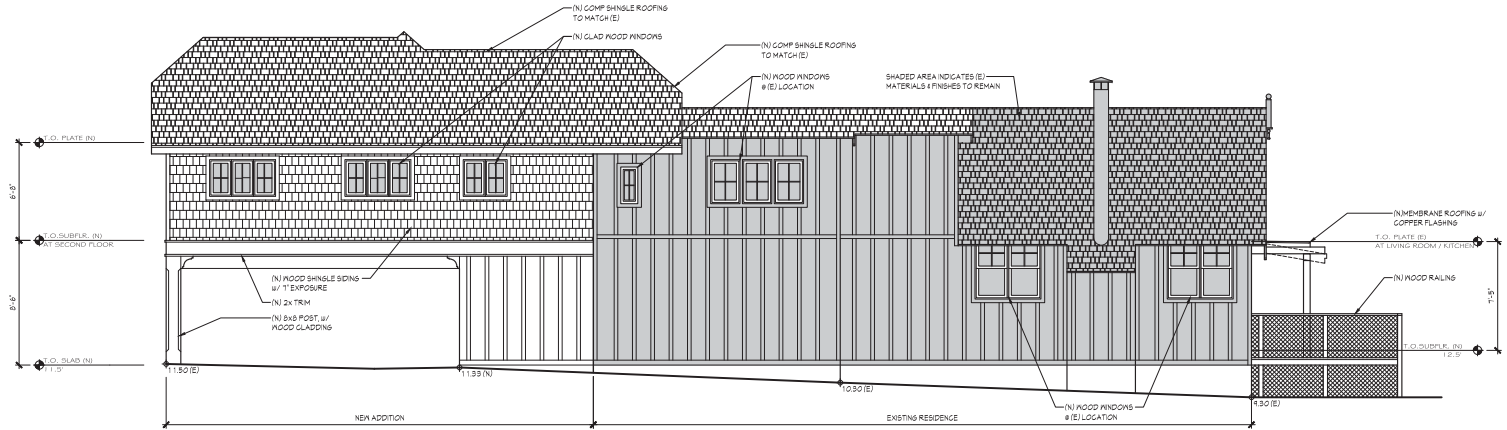
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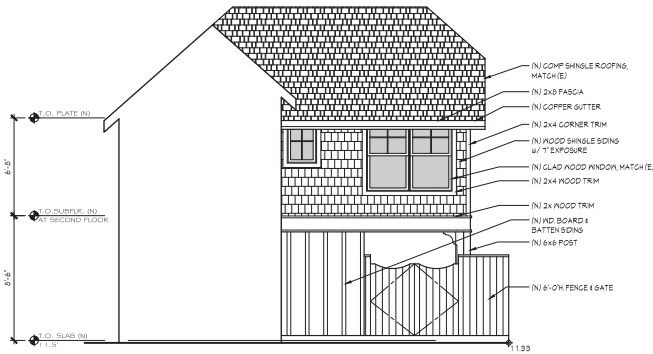
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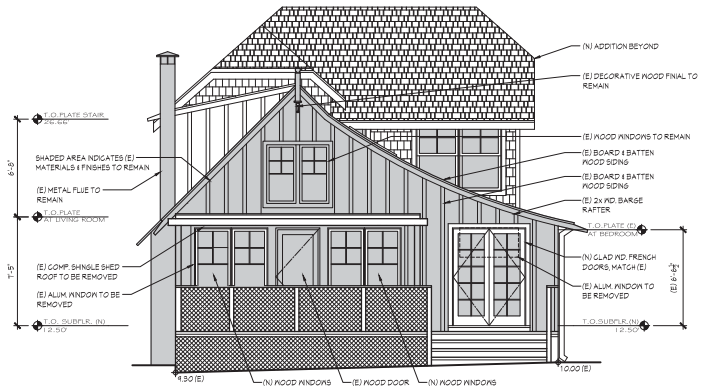
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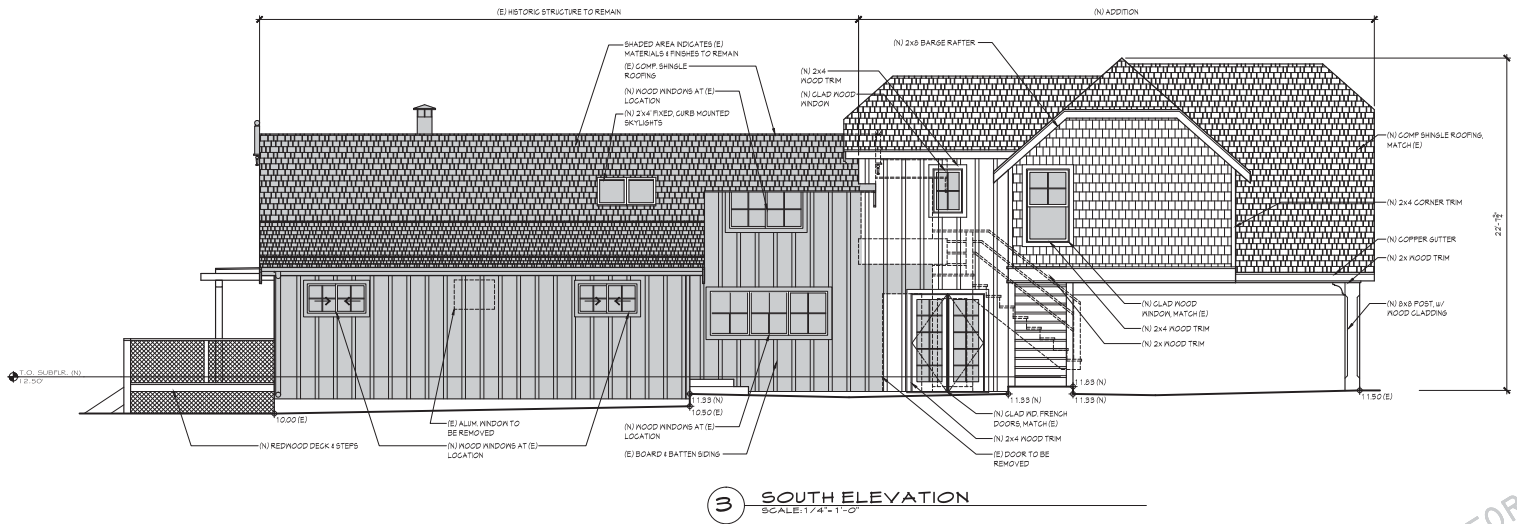
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SCALE: 1/4" = 1'-0"



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



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



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

ISSUE DESCRIPTION
038-121-34
NOV-2
JAN-0
PLANNING 3
REVISION 3
REVISION 2
REVISION 1



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SECRETARY OF THE INTERIOR'S STANDARDS REVIEW

**PROPOSED REHABILITATION AND ADDITION PROJECT
for a
Residential Contributor to the
Old Riverview Historic District, a National Register-Listed Historic District**

Reardon Residence
429 Riverview Drive, Capitola
(Parcel Number 035-121-034)
Capitola, Santa Cruz County
California

For:

City of Capitola
Attn: Katie Cattan, AICP, Senior Planner
Community Development Department
420 Capitola Avenue
Capitola, CA 95010

Prepared by:

A R C H I V E S & A R C H I T E C T U R E L L C
PO Box 1332
San Jose, CA 95109
408.369.5683 Vox
408.228.0762 Fax

Leslie A. G. Dill, Partner and Historic Architect

March 26, 2015

INTRODUCTION

Executive Summary

With some clarifications to the final design, the proposed project meets the *Secretary of the Interior's Standards for Rehabilitation* (Standards). It is understood that the clarifications are minor, and it is recommended that the suggestions should be addressed in the form of "conditions for approval" appended to the City of Capitola's planning approval process, and that the clarifications be required for incorporation in the design as part of the Building Department submittal. The analysis is summarized here in list form and described more fully in the report below:

It is recommended that, as a clarification in the final permit drawings, the street-side historic window be shown as preserved and relocated from the second story to the first on the same elevation (Standard 5).

It is recommended that as part of the final permit drawings, all specific original materials potentially impacted by the project be identified and documented as part of the building permit drawing set. (Standards 5 and 6).

It is recommended that a general note that conveys the overall intent of Standard 6 is included prominently on the title page of the construction documents, and that the State Historical Building Code be referenced in the general notes, as well (Standard 6).

It is recommended that all proposed preservation treatments, including paint preparation, be identified prior to submittal of the building permit drawing set (Standards 6 and 7).

Report Intent

Archives & Architecture, LLC was retained by City of Capitola Community Development Department to conduct a Secretary of the Interior's Standards Review of a proposed residential modification and addition at a historic house that is identified as a contributing structure to the National Register-listed Old Riverview Historic District in Capitola, California. Archives & Architecture was asked to review the exterior elevations, plans, and site plan of the project to determine if the proposed project is in compliance with the *Secretary of the Interior's Standards for Rehabilitation* (Standards). The Standards are understood to be a common set of guidelines for the review of historic buildings and are used by many communities during the environmental review process to determine the potential impact of a project on an identified resource.

Qualifications

Leslie A. G. Dill, Partner of the firm Archives & Architecture, has a Master of Architecture with a certificate in Historic Preservation from the University of Virginia. She is licensed in California as an architect. Ms. Dill is listed with the California Office of Historic Preservation as meeting the requirements to perform identification, evaluation, registration, and treatment activities within the professions of Historic Architect and Architectural Historian in compliance with state and federal environmental laws. The Northwest Information Center utilizes the criteria of the National Park Service as outlined in 36 CFR Part 61.

Review Methodology

Leslie Dill reviewed the Architectural/Historical Inventory Forms provided by the City of Capitola. The individual forms are not dated, as they come from a larger document. It is assumed that they date from 1986, when the Old Riverview Historic District was surveyed. The district was listed on the National Register in 1988. Due to the limited adopted documentation available on the subject parcel, a number of

assumptions about the significant historic features of the property were required to be incorporated into this report. Ms. Dill and Franklin Maggi, qualified architectural historian, together made a site visit, viewing the house and surrounding neighborhood from the public rights of way. They discussed the character-defining features of the neighborhood, and how the existing house design fits into the district as a whole. A list of the character-defining features is included within the analysis of this report.

At the beginning of the review, the designer, Derek Van Alstine Residential Design, Inc., electronically forwarded an initial planning submittal set (Sheets T1 & 2, A1 through 9, and a site survey), dated November 22, 2013. Along with the drawings, Ms. Dill was sent a Standards analysis report prepared by Kent Seavey, dated December 2, 2013. The document provided invaluable background historical and architectural documentation; however, Ms. Dill did not fully concur with all of the design review analysis. Ms. Dill independently reviewed the initial drawing set according to the Standards. After she conducted her initial analysis and recommendations for revisions to the project, she prepared in memorandum form some recommendations for revisions. She then presented these recommendations to the City, and further clarified in a meeting with city staff and the project designer.

The designer submitted a revised design in January 5, 2015; the city staff and Ms. Dill reviewed the design with him in a meeting where Ms. Dill verbally presented some minor recommendations for revisions. The final revised planning approval drawing set was submitted in Mid-March. The set includes sheets T1, A1 through A 6, E1 through E4, and a site survey. The drawings are dated January 5, 2015. This report is based on that submittal set.

Project Constraints

Please note that this is a particularly challenging design and analysis, for a number of reasons, all of which are addressed in this review. First, the property has not been individually evaluated, but is a listed contributor to a National Register historic district listed in the 1970s, so the documented basis for analysis is limited. It is important to note that the critical intent of the review is to confirm that the proposed project is compatible with a contributor to the Old Riverview Historic District, not as an individually listed property. Another major design/review concern is that the entire historic district is within a flood zone. All new construction in the area must conform to design parameters that would not be encountered in other historic districts. Adding complexity, the property has three major facades, the street façade, the river façade, and the adjacent public walkway façade, so all viewing angles have aspects of significance. The street view has been altered by the construction of a detached outbuilding to the front of that elevation; this accessory structure will be removed. Finally, the architect provided verbal information that the interiors of the house are an important part of the original design, and the drawing set confirms this assertion. Although it is a private home, a consideration in this review is that the exterior alterations need to address the preservation of the interior features.

Disclaimers

This report addresses the project plans in terms of historically compatible design of the exterior design only. The Consultant has not undertaken and will not undertake an evaluation or report on the structural conditions or other related safety hazards that might or might not exist at the site and building, and will not review the proposed project for structural soundness or other safety concerns. The Consultant has not undertaken analysis of the site to evaluate the potential for subsurface resources.

PROJECT DESCRIPTION:**Survey Status/Character of the Existing Resource/**

The property at 429 Riverview Avenue is listed on the National Register as a contributor to the Old Riverview Historic District. According to Kent Seavey's report, the house was constructed in the early-to-mid-1930s, commensurate with its vernacular Eclectic-Revival and Late-Craftsman characteristics and materials. No adopted list of character-defining features exists, so Archives & Architecture created a list of assumed original features, cross-checked with the list from Mr. Seavey's report:

Character-defining features (assumed original):

- Massing and footprint of the house (one-and-one-half-story main wing with square footprint and internal balcony/mezzanine level and two-story façade overlooking the river; narrow, one-and-two-story board-wall front wing, creating an unequal "L"-shaped footprint)
- Roof form: Distinctive bell-cast roofline covering the river wing; asymmetrical gabled roofline at the narrow street wing
- Simple bargeboards with tapered ends
- Turned finials at the apex of the end gables
- Board-and-batten siding
- Two original wood casement windows
- French doors

Alterations include:

- River-side deck
- Chimney
- Scalloped window trim
- Aluminum windows and trim

Summary of the Proposed Project

The proposed project, as presented in the current set of architectural drawings noted above, includes the rehabilitation of the existing house, including the replacement of all recent non-historic alterations with more compatible materials, the demolition of a recent detached accessory building, and the addition of a new living space, raised over a car port on the street side of the property.

SECRETARY'S STANDARD'S REVIEW:

The *Secretary of the Interior's Standards for Rehabilitation* (Standards), originally published in 1977 and revised in 1990, include ten standards that present a recommended approach to repair, while preserving those portions or features that convey a resource's historical, cultural, or architectural values.

Accordingly, Standards states that, "Rehabilitation is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values". Following is a summary of the review with a list of the Standards and associated analysis for this project:

Analysis

1. **"A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships."**

Analysis: The use of the single-family contributing residence does not change for this project.

2. **“The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.”**

Analysis: Although some original materials and features of the property are proposed for removal or relocation, no historic massing is proposed for demolition. The critical spatial relationships and spaces embodied in the historic design would be maintained, and compatible new spatial relationships would be created. The proposed addition attaches the house in a location that impacts the least amount of original building fabric, and it preserves the “L”-shaped footprint and original roof massing. The original massing will be preserved in three dimensions, with an open courtyard at the preserved street entrance to the house; this open space will be perceptible from the pedestrian walkway and should be visible from the street from various angles as well.

3. **“Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other historic properties, will not be undertaken.”**

Analysis: There are no changes are proposed that might be mistaken for original features. Specifically, the replacement windows, although clad in wood, will have modern manufacturing; the siding will be differentiated, and the addition will be differentiated. See also Standard 9.

4. **“Changes to a property that have acquired historic significance in their own right will be retained and preserved.”**

Analysis: For this report, it is understood that no existing changes to the house have acquired historic significance in their own right. At the overall property, the front detached accessory structure proposed for demolition has not acquired significance.

5. **“Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.”**

Analysis: The historic features, finishes, and construction techniques or examples of craftsmanship that characterize the property are generally preserved in this proposal. Specifically, the asymmetrical roof forms, the majority of the eaves, and the board-and-batten siding are shown as preserved and/or restored as a part of the project, and the two historic windows will be preserved. It is understood that one historic window will be relocated within the composition to an existing location that has a replacement unit while the other historic window is preserved in-situ. The street-view gable end will be abutted to the new addition; this proposed addition impacts as little of the exterior wall space as possible, creating an abutted hyphen between the large river-side wing and the new addition. This design approach preserves the critical historic form and materials within the constraints of the historic district.

6. **“Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.”**

Analysis: The project plans, as planning rather than building documents, do not specifically address the replacement of deteriorated features at the historic house, nor do they include a

general note that addresses this project as a historic preservation project. It is recommended that language referring to this Standard shall be included on the title sheet (T1) of the final permit drawings, and that all specific repairs, particularly repairs precipitated by structural upgrades, be identified prior to submittal of the building permit drawing set.

7. **“Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.”**

Analysis: Because this is a planning, rather than building set of drawings, no chemical treatments are shown as proposed in this project. It is recommended that all proposed preservation treatments (e.g., epoxy wood consolidant and paint preparation techniques), be identified prior to submittal of the building permit drawing set.

8. **“Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.”**

Analysis: Archeological resources are not evaluated in this report.

9. **“New additions, exterior alterations or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.”**

Analysis: The current design of the project includes alterations and additions that are adequately compatible and differentiated from the historic design.

The proposed new replacement windows are compatible in scale with the historic wood casement windows, and they are sized and placed within existing openings that respond to an assumed historic fenestration configuration. The proposed windows have appropriately scaled multi-lite sash, while having a variety of window types (double-hung, fixed, casement) and modern manufacturing techniques that differentiate the new windows from the historic 2x3-lite and 2x2-lite patterned wood casements. The simple board trim is proposed to match throughout, a compatible way of providing consistency between the proposed and existing window units. The clad wood windows are considerably more in keeping with the historic district than the current aluminum units. The replacement and new French doors will be clearly differentiated by their modern manufacturing. Their multi-lite design, placement within the walls, and overall design approach (openness vs. solid-wood doors) is compatible in scale and proportion with the historic design.

The proposed addition is compatible with the original house design in form, size, massing, and location, yet differentiated in form and detailing. Because of its height and proximity to the street, the proposed street-side addition will be more prominent along Riverview Avenue than the current set-back design, but the addition is designed to be keeping with the scale, massing, and materials of the Old Riverview Historic District, with regard to how the neighborhood is being slowly forced to evolve under the influence of the flood zoning. The location of the addition, toward the street, maintains the critically important “L”-shaped massing of the historic house, and allows the preservation of the significant river façade. The connection point is detailed to express the historic form of the house.

The massing and size of the addition are compatible with the historic property and neighborhood. The two-story addition is designed as a raised half-story, echoing the main river wing of the house with its full-width bell-cast roofline. It is taller than the historic house, by nature of the flood requirements, but slightly smaller in width and depth, and has a similar amount of solid wall planes, creating a hierarchy of form. The addition is differentiated in massing from the main wing by its raised design and open first floor, and also because the flared roof has a longer flat plane at the gable and a more subtle bell-cast at the eaves. It is further differentiated by its clipped gables, diminishing the visual impact of the roof and distinguishing them from the historic gabled ends with their finials. The addition has cross-gables that break up the visual size of the roof planes. This massing is compatible with the character-defining variety and smaller roof forms within the street wing of the historic house, which seems to have been built over a period of time. The cross gable forms create a sense of hierarchy, with the large, unbroken roofline of the original house taking precedence.

The siding of the addition is compatible with the historic house in scale and material. The addition is differentiated by its shingle siding, in subtle contrast to the original house board-and-batten siding. The shingles represent a wood siding material with small-scale repetitive components, compatible with the original. The use of vertical boards at the underside of the raised addition (at the car port) is compatible with the board-and-batten siding of the house, and also echoes the use of board fences at the street frontages within the district.

The design of the addition trim, with flat-board belly-bands, vertical corner boards and simple eave fascia boards, serves to visually separate the new from the original with lines, while visually unifying the design with the historic materials and sizes. The car-port posts are of a scale, placement, and material that also meet the design intent of this Standard.

The windows of the addition are compatible in scale and materials with the historic house and historic district; they are a traditional size and are divided into lites that are similar to the house and its surroundings. They are placed around the walls in proportion to scale of the entire property. The wood cladding maintains the design vocabulary of the property and district.

10. “New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.”

Analysis: The essential form and integrity of the historic property would be maintained in this project. While some framing would need to be restored, the remaining character-defining form and materials of the house would be unimpaired in this project.

Conclusion

The proposed design is generally compatible with the *Secretary of the Interior's Standards for Rehabilitation*. Minor clarifications are recommended to be included in the building permit submittal set. These include the clarification of the relocation of the historic window on the east façade, cover-page references to the California Historical Building Code and the significance of the house, and the identification of all preservation treatments of damaged and worn materials.

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310 LIGHTHOUSE AVENUE
PACIFIC GROVE, CALIFORNIA 93950
(831)375-8739

December 2, 2013

Mr. Derek Van Alstine
Residential Design Inc.
716 Soquel Ave., Suite A
Santa Cruz, CA 95062

Dear Mr. Van Alstine:

Introduction:

This Secretary of the Interior's Standards Compliance Assessment has been prepared on behalf of Mike & Cindy Reardon, as part of an application to make additions and alterations to a residence listed as a contributing feature in the Old Riverview Historic District of Capitola. The proposed rehabilitation of this previously altered property will include, the removal and replacement of some modern fenestration; the removal of one or two small additions and minor expansion of the building envelope, as part of needed structural roof repair, to provide needed space for contemporary use. The proposed project will employ existing original materials, including fenestration in the project to maintain the historic character of the residence. The subject property is located at 429 Riverview Ave. (APN# 035-121-34), in Capitola, Santa Cruz County (see photos and plans & drawings provided).

Historical Background & Description:

The subject property is an altered c. 1930 one-and-one-half story, wood-framed, vernacular residence, irregular in plan, resting on a partial concrete foundation. The exterior wall cladding is vertical board-and-batten, with similar batten laid over sheet plywood from later alterations (1965/1982/1989). An open wooden deck and lower boat deck off the rear (SW) elevation were replaced after flooding in 1982.

Sanborn fire insurance maps for Capitola from 1927 and 1927-1933 suggest the subject property was constructed after 1930. Assessor's records show a construction date estimated as 1936. The 1965 footprint of the building envelope on the Santa Cruz Co. Residential Building Record shows additions and minor changes to the building envelope, with further alterations appearing on the 1990 building record. The subject property was flooded in 1982, taking out an earlier rear deck.

About 1961, a wood-framed one-car garage was removed and a small detached wood-framed storage shed was added off the front (NE) of the building, facing Riverview Avenue. By 1966 the Residential Building Record shows alterations and additions to the front (NE) of the building envelope. In the Loma Prieta earthquake of 1989, an exterior eave-wall stone chimney along the NW side-elevation collapsed, bringing part of the wall down with it. Two large, fixed, plate-glass windows replaced the original fenestration in the rear (SW) elevation and a number of new, horizontal aluminum windows were added around the perimeter of the residence by 1990 (see documentation provided).

The Old Riverview Historic District was listed in the National Register of Historic Places (NR) on January 22, 1988. Forty-seven contributing properties were identified in the district, including 429 Riverview Avenue (see National Register District Nomination Form provided for the historic context of the district and individual contributing properties).

The first owners of the residence, which was a vacation property, were Charles W. and Alice M. Burkett, who purchased the parcel from the Blanchard Land Co. in 1926 (Santa Cruz Co, Deeds, Bk. 78 at Page 64), Mr. Burkett was a San Francisco based Electrical Engineer. The vacation house was constructed during their ownership. No architect or builder has been identified. In 1934, the Burkett's sold the property to Karl W. and Emma Marten from San Jose (Santa Cruz Deeds, Bk. 268 at Page 362), Mr. Marten was a bookkeeper. Emma Marten, by then a widow, sold the property in 1949 to Walter Scott Newhall, a San Francisco financier, and his wife Catherine Vail Newhall (Santa Cruz Deeds Bk. 721 at Page 585). About a year later, On August 3, 1950, the Newhalls sold the property to D.R. Ritchie and his wife Jessie G. Ritchie, of Lodi, California (Santa Cruz Co. Deeds, Vol. 787 at Page 615). Mr. Ritchie was a principal in the Lodi Wine & Grape Exchange.

On October 30, 1963, Mr. Ritchie's widow, Jessie, sold the property to another Lodi couple, Leonard F. Cooper and his wife, Roberta G. Cooper (Santa Cruz Co. Deeds, Book 1576 at Page 535). Mr. Cooper was a Lodi accountant. The property remained in the Cooper family until its purchase by the current owners in 1990.

Character-defining features of the property include its one-and-one-half-story height; irregular plan; board-and-batten exterior wall cladding; eclectic front-gabled roof form, with a flared roof-plane over the ground floor on the SE side-elevation toward the rear (SW) of the building envelope. There are at least two sets of original paired multi-paned wood casement windows present. Some have planked wood shutters, and a pair in the gable end of the rear (SW) elevation have an ornate scalloped surround that probably dates to the 1960s. There is a small, circular, decorative porthole window above a set of wooden French doors c. 1965 on the NE facing facade of the one-story wing on the SE side of this elevation.

The residence is listed as #26 of the contributors in the NR Old Riverview Historic District Nomination. It is also listed in the 1986 Capitola Architectural Survey, on page 68. It is significant at the local level, as a contributing property to the NR Old Riverview Historic District. It is also significant in the context of the theme of Architectural Development (1882-1970) in the 2004 Capitola Historic Context Statement.

Evaluation:

The proponents propose to remove all contemporary features on the building envelope, to include aluminum windows, plywood siding, slab doors and the exterior front staircase. These will be replaced with wood plank siding, wood windows and doors, matching, in kind, remaining original fenestration, consistent with the Secretary of the Interior's Standards for Rehabilitation, under Standards #5 & #6 (see photos and plans & drawings provided).

The kitchen area and lower bedroom space on the NW side elevation are structurally unsound. These spaces will require replacement for code compliance. As proposed, the building envelope will be extended toward the NE approx. twelve feet, within the existing footprint. The proposed addition will match, in kind, the design, materials, features, size, scale, proportion and spatial relationships of the historic building, to provide adequate living space for contemporary use while protecting the integrity of the property and its environment.

As part of the process, any relevant original building material will be set aside for reuse in the rehabilitation. This proposed treatment is consistent with Standards #5 & #9 (see copy of the Secretary of the Interior's Standards for Rehabilitation provided).

Proposed alterations to the SW rear elevation include removal of the c. 1965 second floor window surround, and replacing the c. 1990 fixed, plate glass windows on the ground floor with multi-paned wood French doors, accessing the rear deck. Also proposed is replacement of an aluminum bedroom window with wood French doors, for code required egress (see plans & drawings provided).

All proposed work is on altered elevations, and will bring the residence closer in appearance to the original design intent of the historic property, especially facing Riverview Avenue.

The Secretary of the Interior's Standards for the Treatment of Historic Properties identify four primary treatment approaches to historic buildings. They are Restoration, Preservation, Reconstruction and Rehabilitation. Rehabilitation would be the recommended standard for treatment of the subject property.

Rehabilitation is defined as the act or process of making a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.

The Secretary's Standards encourages "placing a new addition on a non-character-defining elevation." and locating alterations to historic properties in areas where previous alterations already exist.

As stated in the 1992 National Park Service *Illustrated Guidelines for Rehabilitating Historic Buildings*, "The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility."

As noted above, the Standards recommend new additions be placed on secondary elevations, and where alteration has already occurred. In this instance the proposed alterations are on previously altered and secondary elevations.

The proposed new construction will match the existing for continuity of design, and all work will be compatible with the size, scale, and proportions to protect the integrity of the subject property and its environment. If removed in the future, the essential form and integrity of the historic property will be unimpaired, consistent with Standards #2, #9 & #10.

429 Riverview Ave.-Capitola



Photo #1. Looking SW at the NE facing facade, September, 2013.

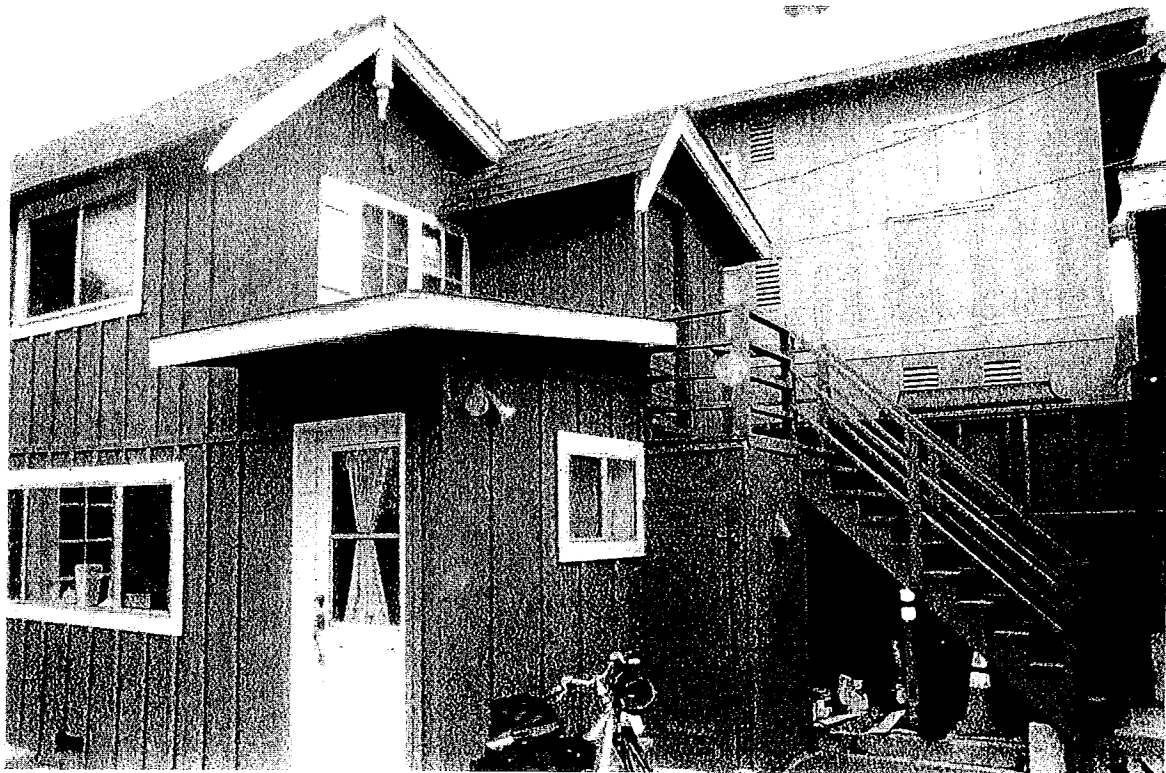


Photo #2. Looking NW at additions on the NE facing facade, September, 2013.

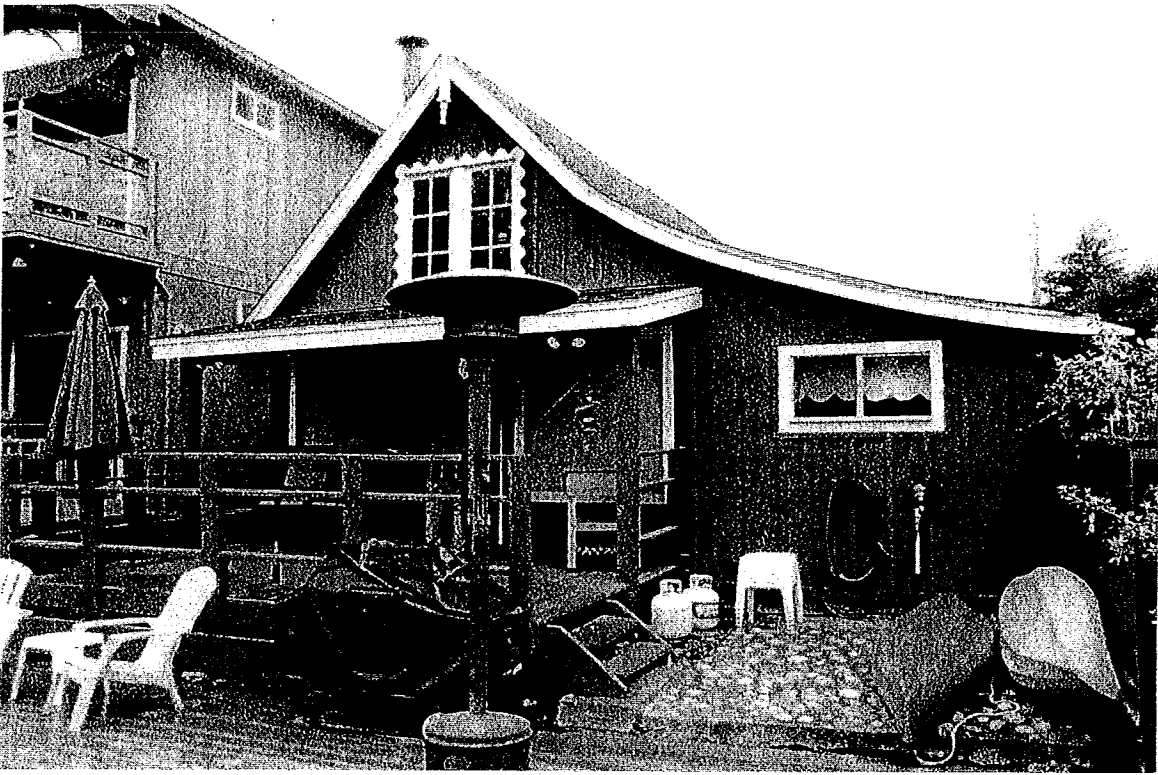


Photo #3. Looking NW at the SW rear elevation,
September, 2013.

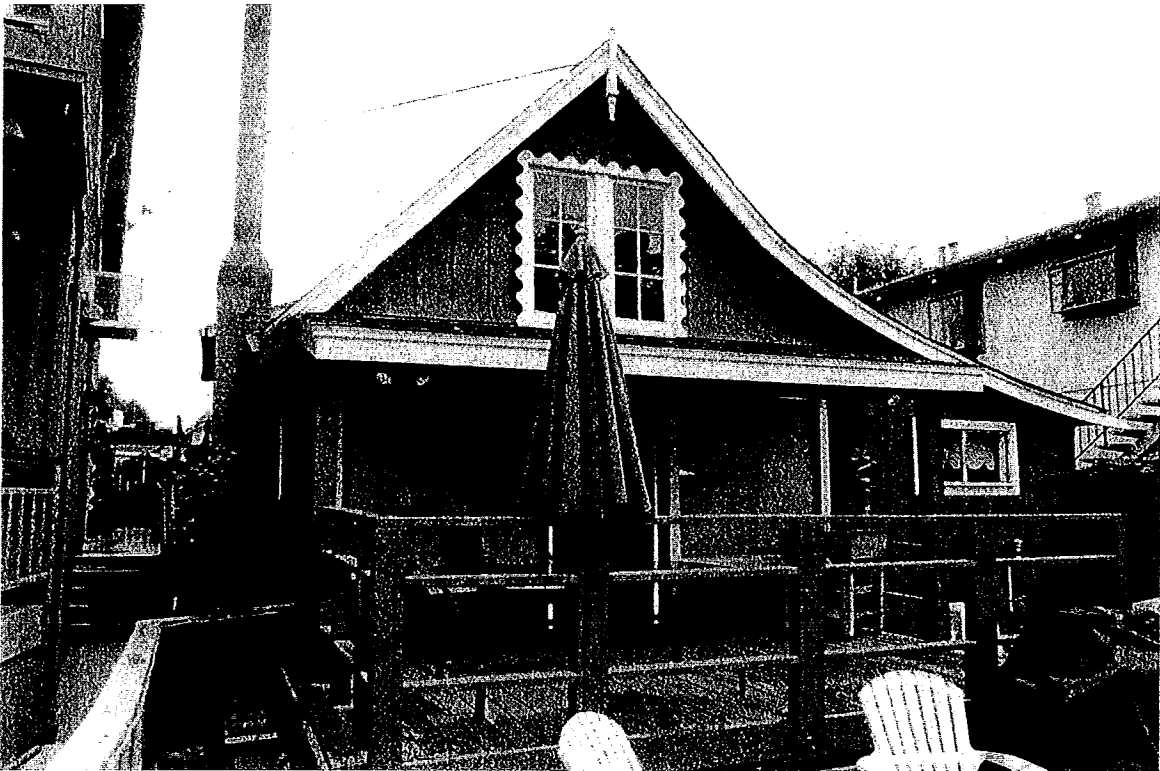
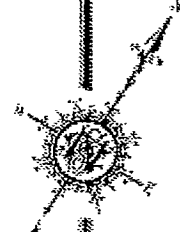
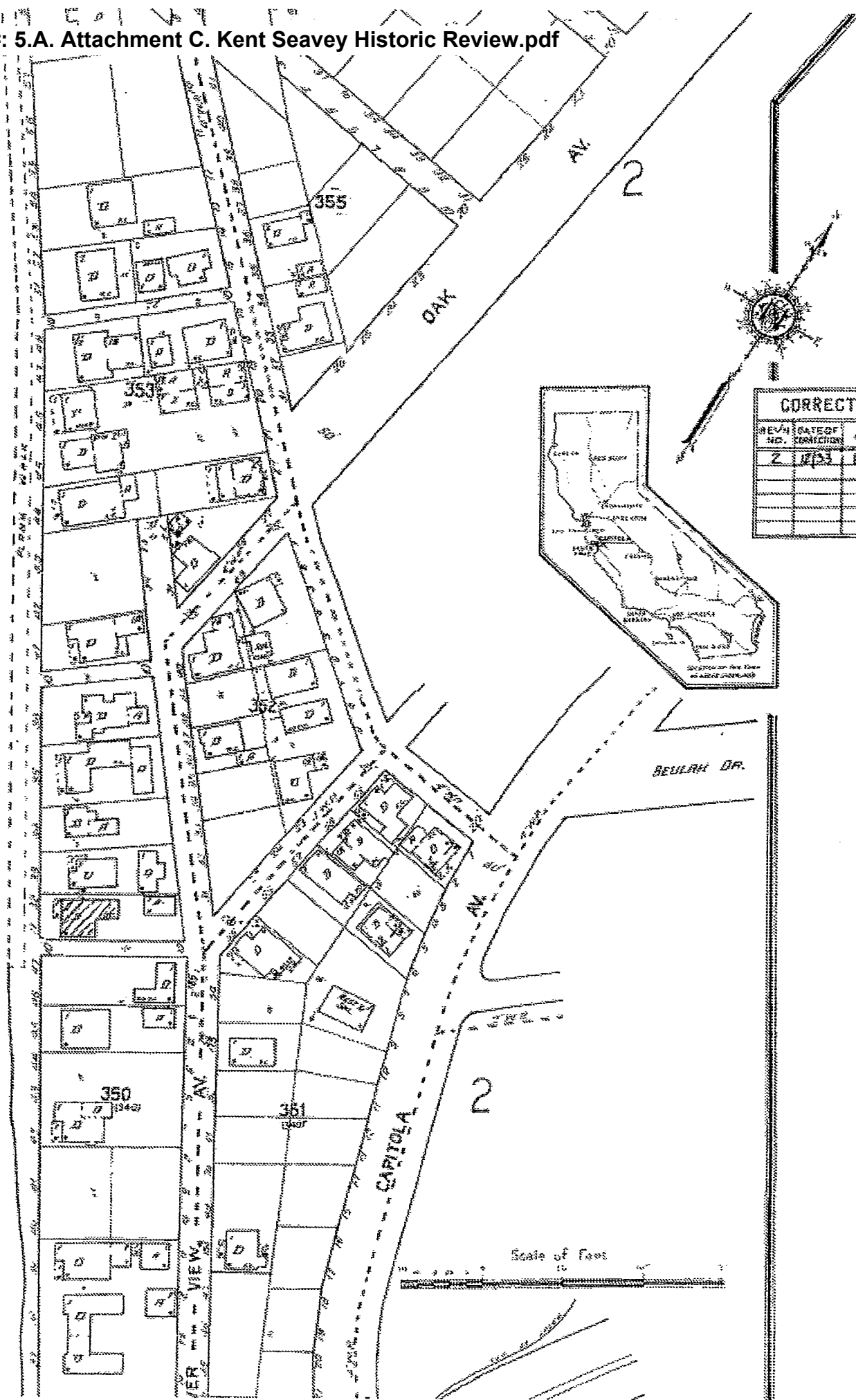


Photo #4. Looking NE at the SW rear elevation,
along the NW side-elev., Sept., 2013.

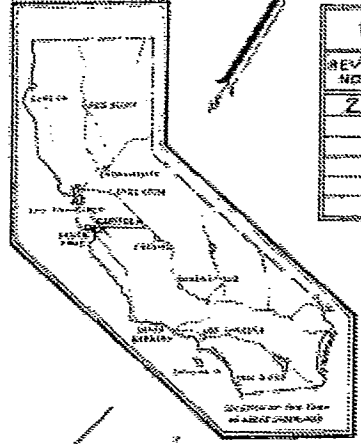


Photo #5. Typical original wood casement windows found along NW side-elevation, Sept., 2013

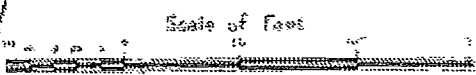
Seavey Creek



CORRECTION REI		
REV#	DATE OF NO. REVISION	ATTACHED
2	1/1/03	REPRINT



BEULAH DR.



SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION

- 1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.**
- 2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.**
- 3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.**
- 4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.**
- 5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.**
- 6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.**
- 7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.**
- 8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.**
- 9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.**
- 10. New additions and adjacent or related new construction will be undertaken in a such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.**

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**PROJECT APPLICATION #13-179
429 RIVERVIEW AVENUE, CAPITOLA
ADDITION TO SINGLE FAMILY HOME**

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

(D) (2) (b) Shoreline Processes. Description of the existing shoreline conditions, including beach profile, accessibility and usability of the beach, history of erosion or accretion, character and sources of sand, wave and sand movement, presence of shoreline protective structures, location of the line of mean high tide during the season when the beach is at its narrowest (generally during the late winter) and the proximity of that line to existing structures, and any other factors which substantially characterize or affect the shoreline processes at the site. Identification of anticipated changes to

shoreline processes at the site. Identification of anticipated changes to shoreline processes and beach profile unrelated to the proposed development. Description and analysis of any reasonably likely changes, attributable to the primary and cumulative effects of the project, to: wave and sand movement affecting beaches in the vicinity of the project; the profile of the beach; the character, extent, accessibility and usability of the beach; and any other factors which characterize or affect beaches in the vicinity. Analysis of the effect of any identified changes of the project, alone or in combination with other anticipated changes, will have upon the ability of the public to use public tidelands and shoreline recreation areas;

- The proposed project is located along Riverview Avenue. No portion of the project is located along the shoreline or beach.

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

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

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

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

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

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

(D) (3) (a – c) Required Findings for Public Access Exceptions. Any determination that one of the exceptions of subsection (F) (2) applies to a development shall be supported

by written findings of fact, analysis and conclusions which address all of the following:

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

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

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

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

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

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

- The project is located in a residential lot.

b. Topographic constraints of the development site;

- The project is located on a flat lot.

c. Recreational needs of the public;

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

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

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

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

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

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

project

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

SEC. 30222

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

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

SEC. 30223

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

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

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

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

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

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

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

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

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

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

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

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

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

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

available at the location.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- The proposed project complies with shoreline structure policies.

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

- This use is a conditional 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.

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

- The project site is located within the area of the Capitola parking permit program.



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: JUNE 4, 2015

SUBJECT: **1601 41st Ave. #15-067 APN: 034-151-20**

Design permit and conditional use permit for expansion of nursery, outdoor sales, and exterior modifications, exception for a 16-foot fence, and sign permit for Orchard Supply Hardware in the Community Commercial (CC) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: Ow Trusts

Representative: Nicholas De Torres, filed 4/16/15

APPLICANT PROPOSAL

The application is for a design permit and conditional use permit (CUP) for a 744 square foot expansion of the nursery, exterior remodel, and outdoor display areas for the existing Orchard Supply Hardware store (Attachment A: Plans). The application also includes new signs for the entry and nursery (Attachment B: Signs).

BACKGROUND

On May 13th, 2015, the Architectural and Site Review Committee reviewed the application.

- City Architect Frank Phantom reviewed the application and expressed support for the proposed remodel and expansion.
- City Landscape Architect Craig Waltz reviewed the application and requested that a landscape plan be submitted to show the existing trees and any new landscaping along 38th.
- City Public Works Representative Danielle Uharriet provided the applicant with stormwater requirement information. She suggested a demonstration area in the garden expansion for the rain collection buckets.
- City Building Official Brian Van Son discussed building code compliance and fire standards with the applicant.
- City Historic Representative, Carolyn Swift, mentioned that this building was one of the first commercial buildings along the 41st Avenue corridor. She thought the building had been modified significantly since it was originally built.

DISCUSSION

King's Plaza is located on the southwest corner of the intersection of 41st Avenue and Capitola Road. King's Plaza is a large (11.4 acre) commercial parcel with over 600 linear feet along Capitola Road and over 800 feet along 41st Avenue. The plaza is set back from the road with parking located between the plaza and the street. King's Plaza hosts a mix of uses including a movie theater, grocery store, hardware store, restaurants, and other retail uses. The Shell gas station located in front of the plaza is not under the same ownership.

Orchard Supply Hardware is the anchor tenant within the large building located in the north-west corner of the property. The large retail hardware store utilizes the majority of the multi-tenant building and smaller retail, restaurants, and personal service establishments which line the north elevation facing Capitola Road and the south elevation facing into the parking lot of Kings Plaza. The project is a remodel of the Orchard Supply Hardware store. The entire building will be painted to create an updated look for the entire structure.

Site and Structural Data

The application includes expanding the existing nursery by 744 square feet. The nursery will be updated to include a new entrance accessible from the south elevation. The following table includes the zoning requirements for the proposal:

Development Standards		Proposed	
Use		Retail with outdoor display	
Principally permitted or conditional use		CUP for outdoor display	
Height: 40 ft		26' 4"	
Front Yard: Landscaped areas of front yards shall be set back fifteen feet in accordance with the 41st Avenue design guidelines.		No changes	
Side and rear yard setbacks may be required through architectural and site approval in order to provide adequate light and air, assure sufficient distance between adjoining uses to minimize any incompatibility and to promote excellence of development; except that where a side or rear yard is provided it shall be at least ten feet wide		Existing: 10' at narrowest location. 25' behind nursery.	
Front yards and corner lot side yards shall not be used for required parking facilities.		No changes	
Parking		Required	Proposed
Retail	1/300 sf	874 spaces required by zoning. Kimley-Horn parking study indicates parking can be met onsite. During December seasonal weekend peak there is a max of 50 to 60% occupancy within existing parking.	654 typical 642 Holiday due to Seasonal Sales.
Restaurant, including all prepared food service	1/60 sf floor area available for dining 1/300 sf all other floor area		
Office	1/300 sf		
Loading Areas per 17.51		No change to loading	
Landscaping. Five percent of the lot area shall be landscaped to ensure harmony with adjacent development in accordance with architectural and site approval standards		6.8%	

The mixed use center is not in compliance with the City's parking requirement of 874 onsite parking spaces. The commercial center has 654 onsite parking spaces. The City hired Kimley-Horn to complete a mixed use parking study for the project to analyze the city's requirements relative to mixed use parking standards. The study made findings that parking is available on site for the proposed expansion. The study also found that 12 spaces to be utilized for seasonal display could be converted as well without negatively impacting parking. The study found that parking lot occupancy during a December weekend peak is between 50 and 60%.

Design Permit

A design permit is required for the proposed modification to the exterior of the commercial buildings. The Planning Commission may utilize the following 41st Avenue Design Guidelines in their review of the project:

- 1. Architectural consistency for all sides of the building must be carried out with colors, materials and details. Facades or fronts unrelated to the rest of the building shall not be used.*
- 2. Materials, colors and textures shall be consistent with the building's design theme.*
- 6. Entries should be protected from wind, rain and sun and provide a distinct entrance to the building.*
- 7. Buildings shall use design elements in public areas which provide a sense of human scale (insets, overhangs). Elements of pedestrian interest shall be included at ground floor levels (courtyards, display windows).*
- 8. Projects containing many buildings or single large structures shall provide variety in building shape, height, roof lines, and setbacks. Front of buildings shall provide variety and interest.*
- 9. Distinctive "trademark" buildings are discouraged.*

The Orchard Supply Hardware will undergo a full exterior remodel to update the outdated look of the existing large retail site. The existing shingled canopy and roof will be removed and replaced with a new standing seam metal roof. A new exposed beam truss will be installed over the entryway at the front of the building. The existing stone veneer on both sides of the entryway will be replaced with stucco. The exterior of the smaller commercial tenants along north and south of the structure will be freshly painted to create a uniform look throughout the entire multi-tenant building. The south elevation around the nursery will be updated with a new 16 foot high wrought iron fence creating visibility into the area. The new design elements will provide variety and interest within the large structure. The proposed design is consistent with the 41st Avenue design guidelines.

Fence Height Exception

A new 16 feet high black wrought iron fence is proposed around the nursery. The Planning Commission may grant exception for fences beyond the maximum 8 feet fence height. A 16 feet high fence around a commercial area is appropriate to avoid issues with vandalism and theft.

Conditional Use Permit

The expansion of the store, permanent outdoor display, and seasonal outdoor sales require a CUP within the CC zoning district. In considering an application for a CUP, the Planning Commission must give due regard to the nature and condition of all adjacent uses and structures.

The new garden area will expand the existing enclosed hardware store from 53,457 square feet to 54,201 square feet. The Orchard Supply Hardware has included a request for a permanent outdoor display area and a season outdoor display area and fix the ongoing issue of non-permitted outdoor displays. The application includes two 308 square feet permanent outdoor display areas located on each side of the front entrance and a 2,218 square feet seasonal outdoor display area. The seasonal display is proposed within twelve parking spaces for 30 day periods in late February and the entire month of December. There are no specific review criteria for outdoor displays or seasonal outdoor displays within the zoning ordinance. In issuing the CUP, the Planning Commission may impose requirements and conditions with respect to location, design, siting, maintenance and operation of the use as may be necessary for the protection of the adjacent properties and in the public interest. Conditions of approval 2 through 12 have been included to prevent future issues that may arise within outdoor display areas.

Sign Permit

Kings Plaza does not have a master sign program to regulate signs throughout the multi-tenant center. The tenants within Kings Plaza have box signs (2 feet x 12 feet) that are replaced in kind when there is a change in tenant. As the anchor tenant for the structure, the Orchard Supply Hardware has had branding signs that are larger than the box signs. Within the current application, two new wall signs are proposed. One wall sign is proposed within the open truss over the entrance and a second wall sign is proposed over the nursery entrance. The zoning code allows each wall sign to be no greater than one square foot of sign area for each linear foot of business frontage. The front (east) elevation is 150 linear feet. The proposed sign on the front elevation is 6 feet tall by 20.3 feet wide and approximately 110 square feet in size due to the curved edge. The nursery sign will be located on the south elevation. The south elevation is 165 feet in length. The proposed sign is 13.5 feet wide by 4 feet tall and approximately 54 square feet. The south elevation includes two retail shops that line the outside of the Orchard Supply Hardware store. These stores each have a box sign that is 24 square feet in size. With the proposed new sign, the south elevation will have a total of 102 square feet of signs, under the 165 square foot maximum and therefore complies.

Landscaping

King's Plaza is landscaped along 41st Avenue, Capitola Road, and within existing parking lot planters. The 38th Avenue street frontage has 6 London plane trees, 1 ash tree, and 1 flowering pear tree. The applicant plans to remove the flowering pear tree on the south west corner to accommodate the new trash enclosures. Two new purple leaf plum trees will be placed at the entrance of Capitola Road. The applicant will also plant manzanita shrubs along 38th Avenue as screening between the street and the loading area/yard. Ground cover will also be planted along 38th Avenue in this area.

CEQA

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

RECOMMENDATION

Staff recommends the Planning Commission approve application #15-067 subject to the following conditions and based upon the following findings:

CONDITIONS

1. The project approval consists of a Conditional Use Permit to expand the Orchard Supply Hardware Store, allow outdoor display, allow seasonal outdoor displays, an exception to fence height, and allow new signs at 1601 41st Avenue within Kings Plaza. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on June 4, 2015 except as modified through conditions imposed by the Planning Commission during the hearing.
2. Pavers or stamped concrete must be included in the building plan submittal to clearly delineate/identify the area permitted within the conditional use permit for outdoor display. The two outdoor display areas are permitted at a maximum of 6.5 feet by 47.5 feet on each side of the front entry way. No goods or materials utilized for the display may be located outside the delineated area. The area may only be expanded with the approval of a modification to the CUP by the Planning Commission.
3. The outdoor display merchandise shall be the merchandise of the Orchard Supply Hardware only. The outdoor display area shall be managed by the Orchard Supply Hardware. The outdoor display conditional use permit is not transferable between properties or businesses.

4. All outdoor display merchandise shall only be displayed during business hours.
5. The outdoor display shall not obstruct pedestrian, bicycle, vehicular, or emergency services access and shall maintain four (4) feet of unobstructed access provided, however, that the width of the clear area shall in all events meet all applicable state and federal regulations and building codes, including all barrier-free and ADA requirements.
6. Outdoor vending machines and drop boxes or donation bins shall be prohibited.
7. The outdoor displays shall not contain any information which would routinely be placed on a business sign located on the building such as the name or type of business, hours of business operation, business logo, brand name information, etc. The outdoor display may include a sign which indicates the price of the display item(s) or simply indicates a "sale" on the item(s) limited to 8.5" x 11".
8. All outdoor displays shall be continuously maintained in a state of order, security, safety and repair. The display surface shall be kept clean, neatly painted, and free of rust, corrosion, protruding tacks, nails and/or wires. Any cracked, broken surfaces, or other unmaintained or damaged portion of a display shall be repaired or replaced or removed within thirty (30) days.
9. All outdoor displays shall be tasteful and assist in creating a top quality shopping environment. No display shall contain obscene, indecent or immoral matter.
10. The outdoor displays must be self-supporting, stable and weighted or constructed to withstand being overturned by wind or contact. The display shall not be permanently affixed to any object, structure or the ground including utility poles, light poles, trees or any merchandise or products displayed outside permanent buildings.
11. The seasonal display area is allowed between the hours of 9 am and 9 pm. Lighting for the seasonal display area shall only light the area within the display. The lighting must be terminated at 9 pm each evening.
12. 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
13. 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.
14. 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 shall require Planning Commission approval.
15. Prior to issuance of building permit, all Planning fees associated with permit #15-067 shall be paid in full.
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. Parking for the proposed hardware store expansion must be accommodated within the onsite parking.
18. Prior to granting of final occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director.
19. The applicant was granted a conditional use permit for the outdoor displays. In any case where the conditions of the permit are not complied with, the community development director shall give notice thereof to the permittee, which notice shall specify a reasonable period of time within which to perform said conditions and correct said violation. If the permittee fails to comply with said conditions, or to correct said violation, within the time allowed, notice shall be given to the permittee of intention to revoke such permit at a hearing to be held not less than thirty calendar days after the date of such notice. Following such hearing and, if good cause exists therefore, the Planning Commission may revoke the permit.
20. The conditional use permit will expire in the case where the conditional use permit has not been used within two years after the date of granting thereof. Any interruption or cessation beyond the control of the property owner shall not result in the termination of such right or privilege. A permit shall be deemed to have been "used" when actual substantial, continuous activity has taken place upon the land pursuant to the permit.

FINDINGS

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

Community Development Department Staff, the Architecture and Site Review Committee, and the Planning Commission have reviewed the application and determined that the proposed expansion of the business, outdoor displays, and signs may be granted a design permit and conditional use permit within the CC Zoning District. The use meets the intent and purpose of the Community Commercial Zoning District. Conditions of approval have been included to ensure that the use is consistent with the Zoning Ordinance and General Plan.

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

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

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

The proposed project involves the expansion of the existing hardware store within an existing commercial space. No adverse environmental impacts were discovered during project review by either the Planning Department Staff or the Planning Commission.

ATTACHMENTS

- A. Plans
- B. Parking Study
- C. Sign Plan
- D. Landscape Plan

**Report Prepared By: Katie Cattan, AICP
Senior Planner**

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TITLE SHEET	DATE	DATE	DATE
REMARKS	PLANNING SUBMITTAL		

PA / PW:	A.C./A.
DRAWN BY:	A.B./A.
JOB NO.:	13824
SHEET	


A0.



ORCHARD SUPPLY HARDWARE

1601 41ST STREET
 CAPITOLA, CALIFORNIA
 PLANNING DEPARTMENT SUBMITTAL

SYMBOLS



ORCHARD SUPPLY HARDWARE
 6400 VIA DEL ORO
 SAN JOSE, CA
 408-291-3500

OWNER REPRESENTATIVE

5420 VIA DEL ORO
 SAN JOSE, CA
 TED ANDERSON 905-2686
 MICHELLE 950-390-3006
 CELL: 760-390-3006
 E-MAIL: ted@tdpplan.com

ARCHITECT

4833 CHABOT DR, SUITE 300
 PLEASANTON, CA 94588
 PA: ANTHONY CATALDO, AIA
 PW: NICOLAS BETTRES, AIA
 PR: JENNIFER HARRIS
 FAX: 925-244-8821
 E-MAIL: cataldo@waremalcomb.com

TENANT

SCOPE OF WORK

ORCHARD SUPPLY AND HARDWARE IS RENOVATING THEIR CAPITOLA 41ST AVENUE STORE TO GIVE THE SHOPPER A NEW LOOK AND IMPROVE THE SHOPPING EXPERIENCE. THE SCOPE OF WORK FOR THIS RENOVATION WILL INCLUDE THE FOLLOWING:

- DEMOLISH EXISTING IMPERVIOUS DRIVE COVER, AND DRIVE CURB AND PROVIDE A NEW DRIVE CURB AND IMPERVIOUS DRIVE COVER SOUTH SIDE OF DRIVE CURB AND IMPROVE THE SPACE AND INVITE THE CUSTOMER IN. THE NURSERY UPGRADES WILL INCLUDE:
 - a. A NEW CANOPY (16' CLEAR) WILL BE PROVIDED ON THE NORTH AND EAST WALLS
 - b. A NEW SLIDE CURTAIN OVER THE DRIVE NURSERY TO MAINTAIN THE OUTDOOR ENVIRONMENT WHILE PROVIDING PROTECTION TO THE PLANTS ON HOT SUMMER DAYS.
 - c. DEMOLITION OF SMALL PORTIONS OF THE EXTERIOR WALL STONE AND WILL RESUME THE CODE REQUIREMENTS.
 - d. RELOCATE ELECTRICAL PANELS WITHIN THE BUILDING WILL BE RELOCATED TO MEET CURRENT ENERGY REQUIREMENTS.
 - e. TWO EXISTING RECEIVING DOORS WILL BE RETIRED FOR USE.
 - f. PROVIDE A NEW FRONT JOB TO ENHANCE THE CUSTOMER EXPERIENCE. THE DOORS WILL BE RELOCATED TO THE DRIVE CURB.
 - RELOCATION OF RECYCLING AND WASH ENCLOSURES FOR BETTER FLOW OF THE NURSERY AREA.

PARKING

REQUIRED ORCHARD PARKING: 4 STALL PER 1,000 SF MINIMUM
 GENERAL RETAIL AND SERVICES: 5 STALL PER 1,000 SF MINIMUM

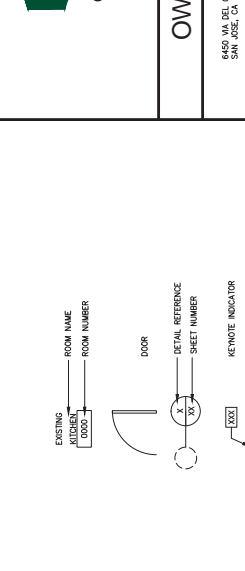
MIN: 54,201 SF / 1,000 SF = 55 1/2 x 4 = 223 STALLS NEEDED.
 MAX: 54,201 SF / 1,000 SF = 54 1/2 x 4 = 222 STALLS NEEDED.

EXISTING DRIVE SITE PARKING:
 FULL SIZE STALLS: 636 STALLS
 HALF SIZE STALLS: 634 STALLS
 TOTAL EXISTING STALLS: 1,270 STALLS

SHEET INDEX

A0.1	TITLE SHEET
A1.0	OVERALL SITEPLAN
A1.0b	EXISTING/ADMO SITE PLAN
A1.1	PROPOSED SITE PLAN
A2.0	EXISTING/ADMO FLOOR PLAN
A2.1	PROPOSED FLOOR PLAN
A4.0	EXTERIOR ELEVATIONS
A4.1	EXTERIOR ELEVATIONS
A4.2	ENTRY TRUSS AND CANOPY PLAN
A4.3	NURSERY ENTRANCE
A5.0	DETAILS
A6.0	DETAILS
C1.0	SITE IMPERVIOUS AREAS EXHIBIT

VICINITY MAP



<p>RETRACT DATA</p> <p>PROJECT NO. 13824 ACCESSORY PARCEL NUMBER 024-152-000-000 OCCUPANCY TYPE 9/M/SI PROJECT TYPE NURSERY SITE AREA 910,644 SF (11.72 AC.)</p> <p>LANDSCAPE AREA EXISTING LANDSCAPE 38,400 SF TOTAL PROPOSED LANDSCAPE 34,829 SF</p> <p>HARDSCAPE TOTAL DISTING LANDSCAPE COVERAGE 6.8 % EXISTING HARDSCAPE 308,148 SF TOTAL PROPOSED HARDSCAPE 309,398 SF TOTAL PROPOSED HARDSCAPE COVERAGE 60.3 %</p> <p>EXISTING BUILDING AREAS ON SITE (N.I.C.): SITE BUILDING AREA (N.I.C.) 114,028 SF APPROX EXISTING COVERAGE 22.3%</p> <p>EXISTING ORCHARD BUILDING AREAS: EXISTING MAIN BUILDING AREA: 31,194 SF APPROX EXISTING MEZZANINE AREA: 4,839 SF APPROX EXISTING GARAGE AREA: 1,467 SF APPROX EXISTING DRIVE UP AREA TO REAR: 7,943 SF APPROX TOTAL EXISTING BUILDING AREA: 51,447 SF APPROX EXISTING COVERAGE 10.5%</p> <p>PROPOSED ORCHARD BUILDING AREAS: PROPOSED MAIN BUILDING AREA: 31,194 SF APPROX EXISTING MEZZANINE AREA: 4,839 SF APPROX NEW GARDEN CENTER AREA: 10,235 SF APPROX EXISTING PICK UP AREA TO REAR: 7,933 SF APPROX TOTAL PROPOSED BUILDING AREA: 54,201 SF APPROX PROPOSED COVERAGE 10.5%</p>	<p>SYMBOLS</p> <p>EXISTING KITCHEN: ROOM NAME, ROOM NUMBER</p> <p>DOOR</p> <p>DETAIL REFERENCE SHEET NUMBER</p> <p>KEYNOTE INDICATOR</p> <p>FINISH INDICATOR</p> <p>EXTERIOR ELEVATION REFERENCE SHEET NUMBER</p> <p>SIZE OF ELEV. SLAB, ELEV. MARKER</p>
--	--

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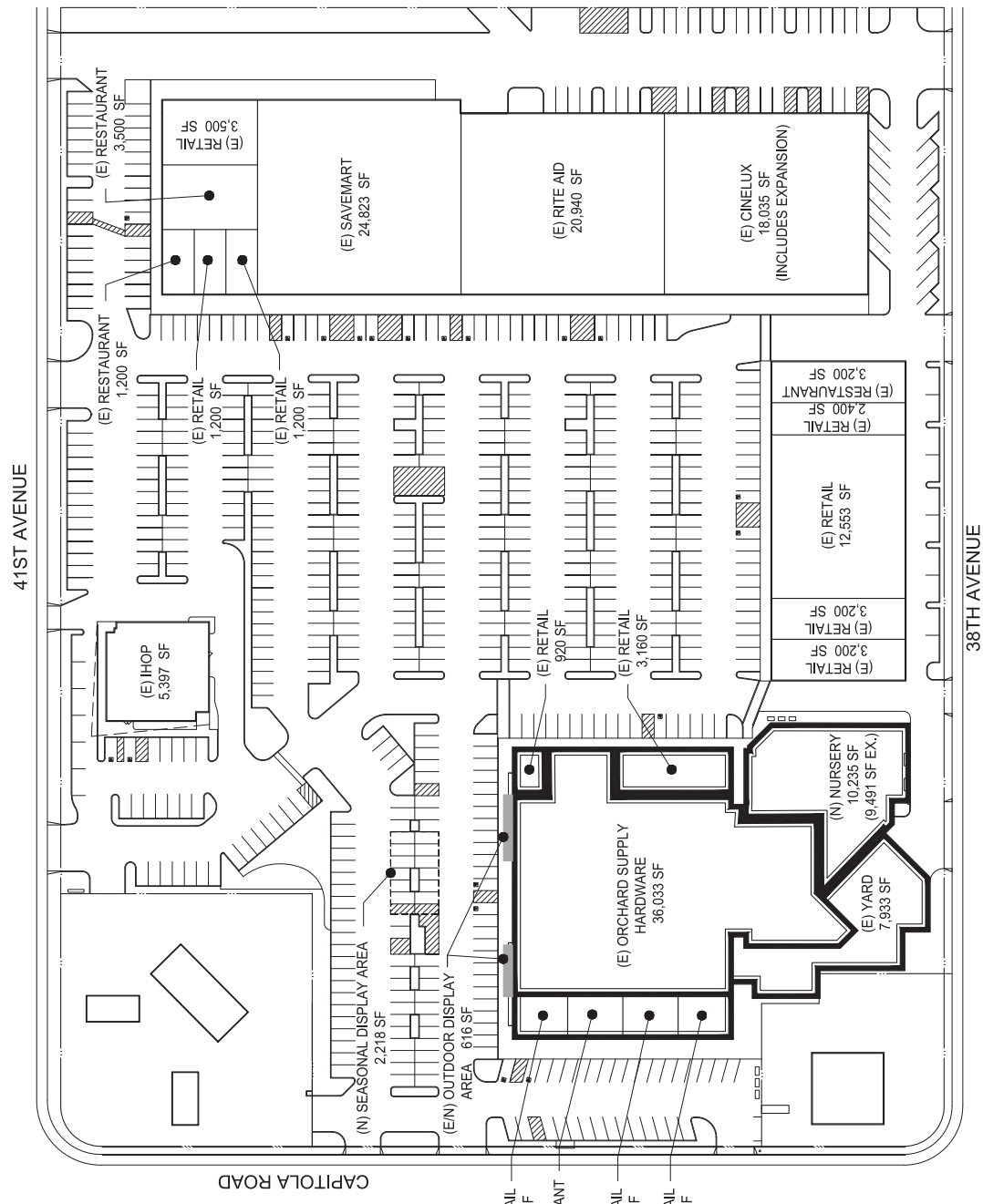
DATE	04.16.2015
REMARKS	PLANNING SUBMITTAL
OVERALL SITEPLAN	

PA / PW:	A.C./A.D.
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A1.0
 SHEET

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OVERALL SITEPLAN
 SCALE: 1"=40'-0"



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EXISTING/DEMO SITE PLAN

DATE	04.16.2015
PLANNING SUBMITTAL	
REMARKS	

EXISTING/DEMO SITE PLAN

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DRAWN BY:	A.B.P.
JOB NO.:	
SHEET	
SHEET	

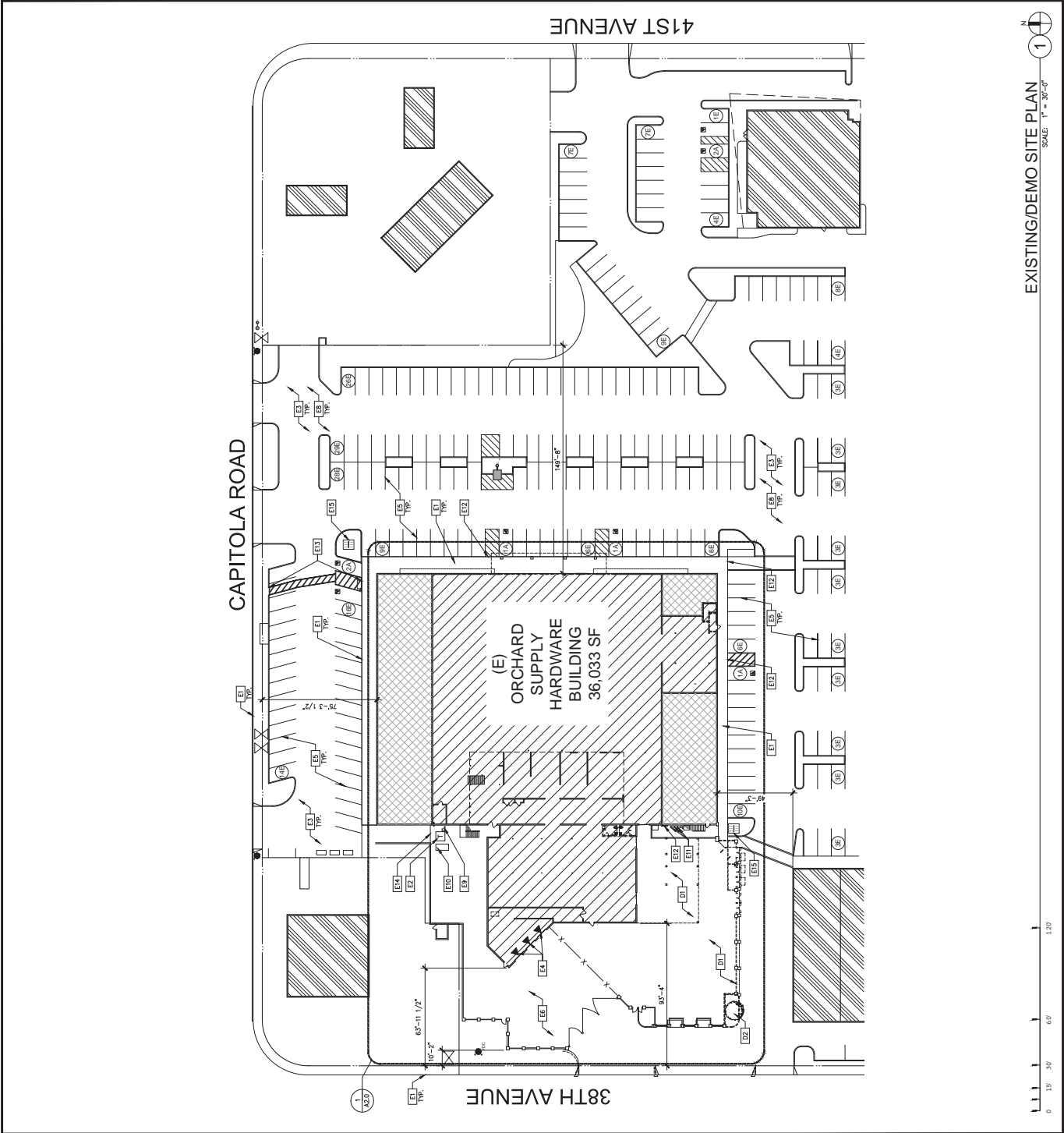
A1.C

EXISTING/DEMO SITE PLAN NOTES

- E1 EXISTING SIDEWALK TO REMAIN.
- E2 EXISTING TRANSFORMER TO REMAIN.
- E3 EXISTING ASPHALT PAVING TO REMAIN.
- E4 EXISTING DOCK TO REMAIN.
- E5 EXISTING PARKING STALLS TO REMAIN.
- E6 EXISTING CUSTOMER PICK-UP CENTER TO REMAIN.
- E7 EXISTING MONUMENT SIGN TO REMAIN.
- E8 EXISTING GUTTER TO REMAIN, TYPICAL.
- E9 EXISTING FIRE SPRINKLER RISER TO REMAIN.
- E10 EXISTING GENERATOR TO REMAIN.
- E11 EXISTING GAS METER TO REMAIN.
- E12 EXISTING ELECTRIC METER TO REMAIN.
- E13 EXISTING ZERO CORB TO REMAIN.
- E14 EXISTING CHAINLINK FENCE TO REMAIN.
- E15 EXISTING BIKE RACK TO REMAIN.
- D1 EXISTING NURSERY COVER AND WALLS TO BE REMOVED, NURSERY SIGN TO REMAIN.
- D2 EXISTING TREE TO BE REMOVED.

SITE LEGEND

- PALE MOUNTED LIGHT FIXTURES TO REMAIN, TYPICAL.
- EXISTING PARKING STALL COUNT.
- DEMOLISHED PARKING STALL COUNT.
- ACCESSIBLE PARKING STALL COUNT.
- PROPERTY LINE.
- FIRE HYDRANT (VERIFY LOCATION WITH CIVIL DRAWINGS)
- P.L.V. WITH TAMPER, SEE FIRE PROTECTION DRAWINGS
- INDICATES AREA OF WORK
- EXISTING SIDEWALK TO REMAIN
- EXISTING BUILDINGS TO REMAIN, N.I.C.
- INDICATES AREA NOT IN CONTRACT (N.I.C.)
- EXISTING BIKE RACKS TO REMAIN, TYPICAL
- GRADE LEVEL TRUCK DOOR.
- DOCK HOIST TRUCK DOOR.
- EXISTING UNDERGROUND UTILITY VALVE.
- EXISTING TRANSFORMER WITH CONCRETE PAD, (PROVIDE PROTECTION BOLLARDS PER LOCAL UTILITY OR PUBLIC WORK STANDARDS).



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SITE NOTES

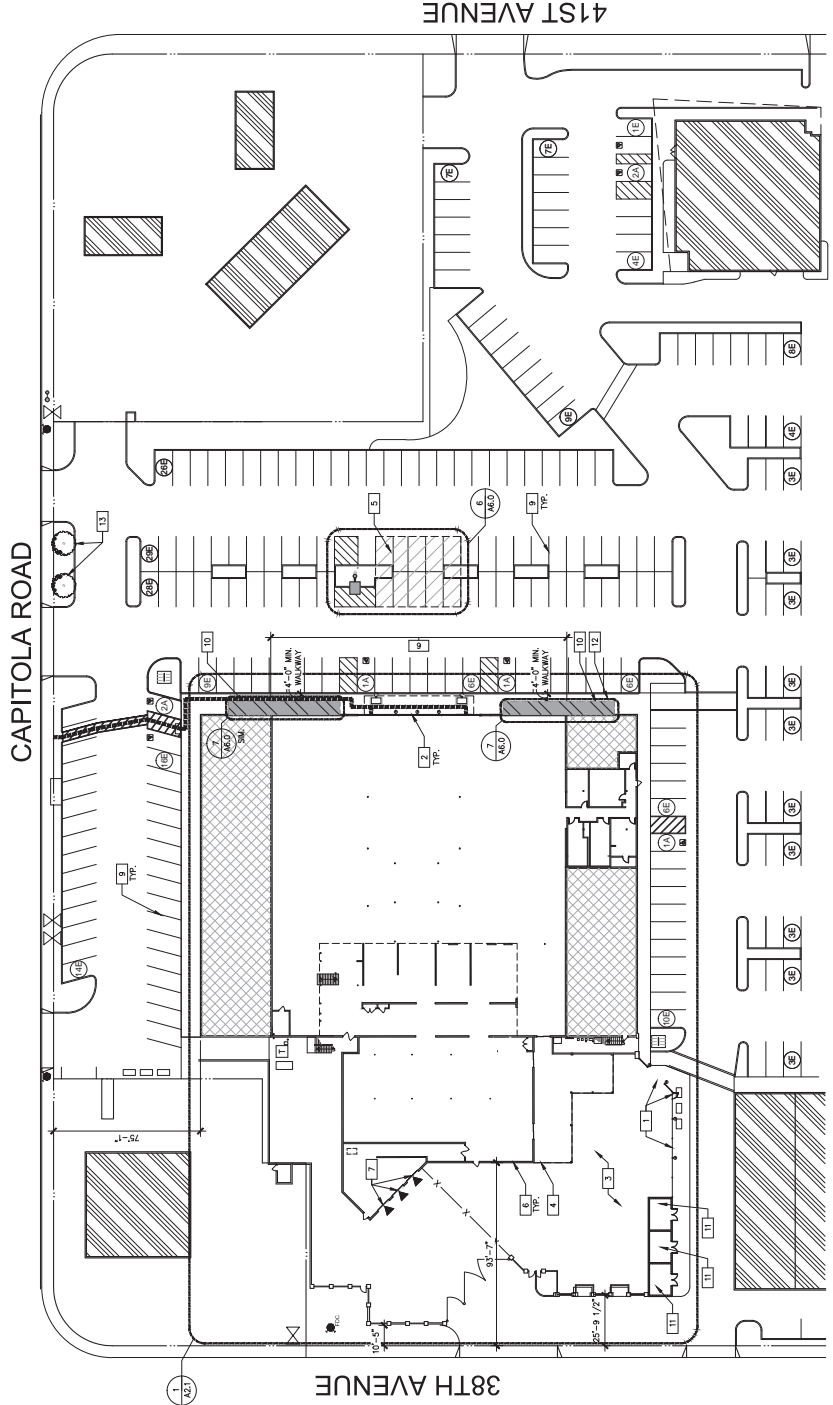
1. NEW BROUGHT IRON LOCK (STEEL TUBE) FENCE, ROLLING GATES, & MAN-GATES. SEE ELEVATIONS.
2. NEW STOREFRONT GUIDING AND AUTOMATIC SLIDING GLASS DOOR SYSTEM.
3. NEW GREEN CENTER WITH HORTISHADE CURB.
4. NEW CORRUGATED METAL DECK CANOPY ABOVE. AT 1' CLEAR.
5. PROPOSED OUTDOOR SEASONAL DISPLAY AREAS. FINAL LOCATIONS TO BE DETERMINED. PROVIDED WITH WATER, POWER, AND DATA.
6. EXISTING BUILDING PAINTED.
7. EXISTING ROLL-UP DOORS PAINTED TO MATCH BUILDING BODY COLOR.
8. SMOKING AREA, 2'-0" MIN. AWAY FROM DOORS. PROVIDE SIGNS ADJACENT TO ALL EXTERIOR DOORS INDICATING "SMOKING PROHIBITED IN THE BUILDING AND WITHIN 25 FEET OF BUILDING ENTRY".
9. PAINT ALL EXISTING STRIPPING PER SMC DOUBLE LINE STANDARD.
10. NEW PERMANENT OUTDOOR SALES DISPLAY TO BE SWITCHED OUT SEASONALLY.
11. NEW TRASH ENCLOSURES.
12. CIVIL TO VERIFY IF SLOPE GRADE TRANSMISSION IS COMPLIANT. IF SLOPE IS STEEPER THAN 5% THEN HANDRAILS WILL BE REQUIRED. 1.5" MIN. SLOPE. 4" DIA. ROUNDS "CHAUNTER VESUVIUS" / PURPLE-LEAF PLUM TREES.

NOTE: MINIMUM DEPTH OF "WALKWAY" BARK MULCH IN ALL SHRUB AND ARBOUR COVER AREAS.

SITE LEGEND

- PROPERTY LINE
- POLE MOUNTED LIGHT FIXTURES TO REMAIN, TYPICAL
- CROSSCHECK LIGHT FIXTURE, SEE 1/A&D.
- UP/DOWN LIGHT FIXTURE, SEE 2/A&D.
- EXISTING TRANSMISSION WITH CONCRETE PILE (BRIDGE PROTECTION BOLLARDS PER LOCAL UTILITY OR PUBLIC WORK STANDARDS).
- EXISTING PARKING STALL COUNT.
- NEW PARKING STALL COUNT.
- ACCESSIBLE PARKING STALL COUNT.
- GRADE LEVEL TRUCK DOOR.
- DOCK HIGH TRUCK DOOR.
- FIRE HYDRANT (VERIFY LOCATION WITH CIVIL DRAWINGS).
- P.U. WITH TAMPERS. SEE FIRE PROTECTION DRAWINGS.
- ACCESSIBLE PATH OF TRAVEL.
- EXISTING UNDERGROUND UTILITY VALVE.
- EXISTING FIRE DEPARTMENT CONNECTOR.
- NEW WOODEN IRON LOCK (SEE SITE PLAN, ROLLING GATES & MAN GATES).
- EXISTING BIKE RACKS TO REMAIN, TYPICAL.
- INDICATES AREA NOT IN CONTRACT (N.I.C.).
- EXISTING LANDSCAPE TO REMAIN, U.G.N. (TYP.).
- EXISTING BUILDINGS TO REMAIN, N.I.C.
- OUTDOOR DISPLAY AREA.

NOTE: SITE TO BE SURVEYED FOR ADA COMPLIANCE PRIOR TO SUBMITTING PERMIT DRAWINGS.



SITE PLAN
 SCALE: 1"=30'-0"
 1



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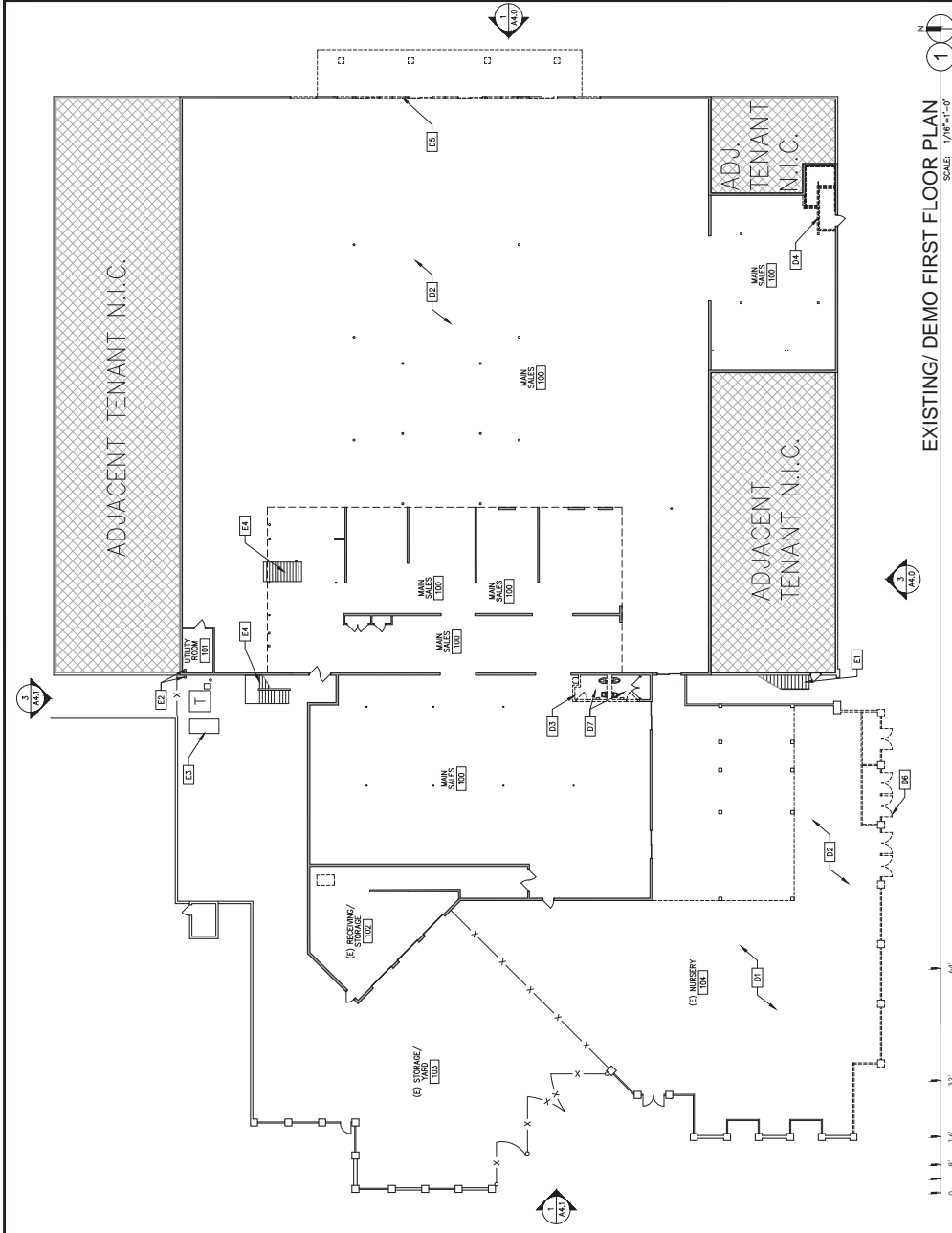
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Item #: 5.B. Attachment A. Plans.pdf

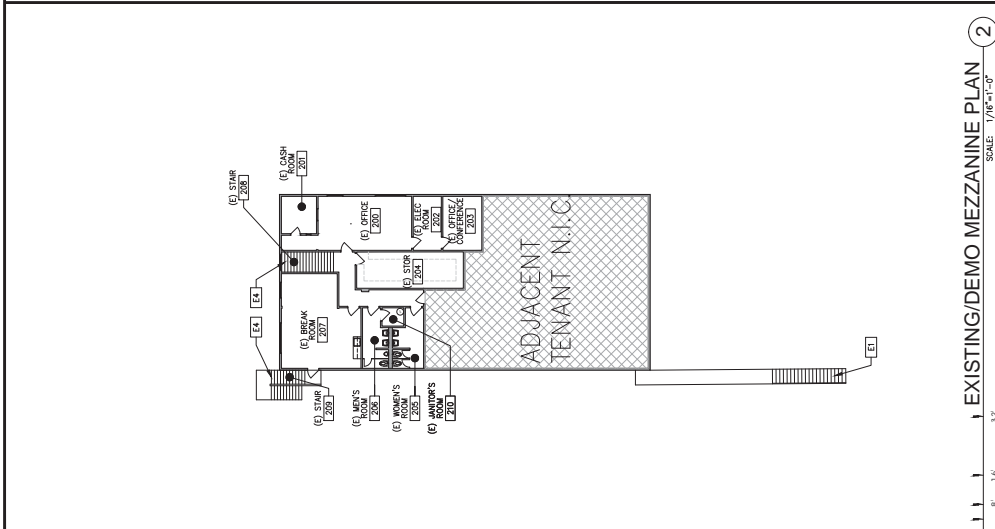
EXISTING/DEMO F.L.R. PLAN	DATE	DATE
REMARKS	04.16.2015	PLANNING SUBMITTAL

PA / PW:	A.C.A.
DRAWN BY:	A.R.
DOB NO.:	SHEKA
SHEET	

A2.1



EXISTING/DEMO FIRST FLOOR PLAN
 SCALE: 1/16"=1'-0"



EXISTING/DEMO MEZZANINE PLAN
 SCALE: 1/16"=1'-0"

- DEMOLITION NOTES**
- D1] DEMOLISH EXISTING NURSERY WALLS, CORNER AND SUB
 - D2] DEMOLISH EXISTING SLAB
 - D3] DEMOLISH EXISTING WALL, TYP.
 - D4] DEMOLISH EXISTING RAMP AND PREP PER ONL.
 - D5] DEMOLISH EXISTING STOREROOM
 - D6] DEMOLISH EXISTING TRUCK ENCLOSURE AREA AND DOORS
 - D7] DEMOLISH PLUMBING FIXTURES AND CAP OFF AS NEEDED
 - E1] EXISTING OUTDOOR STAIRS TO MEZZANINE AREA, NOT IN SCOPE
 - E2] EXISTING F.S.R. EQUIPMENT
 - E3] EXISTING GENERATOR TO REMAIN
 - E4] EXISTING STAIRS TO REMAIN

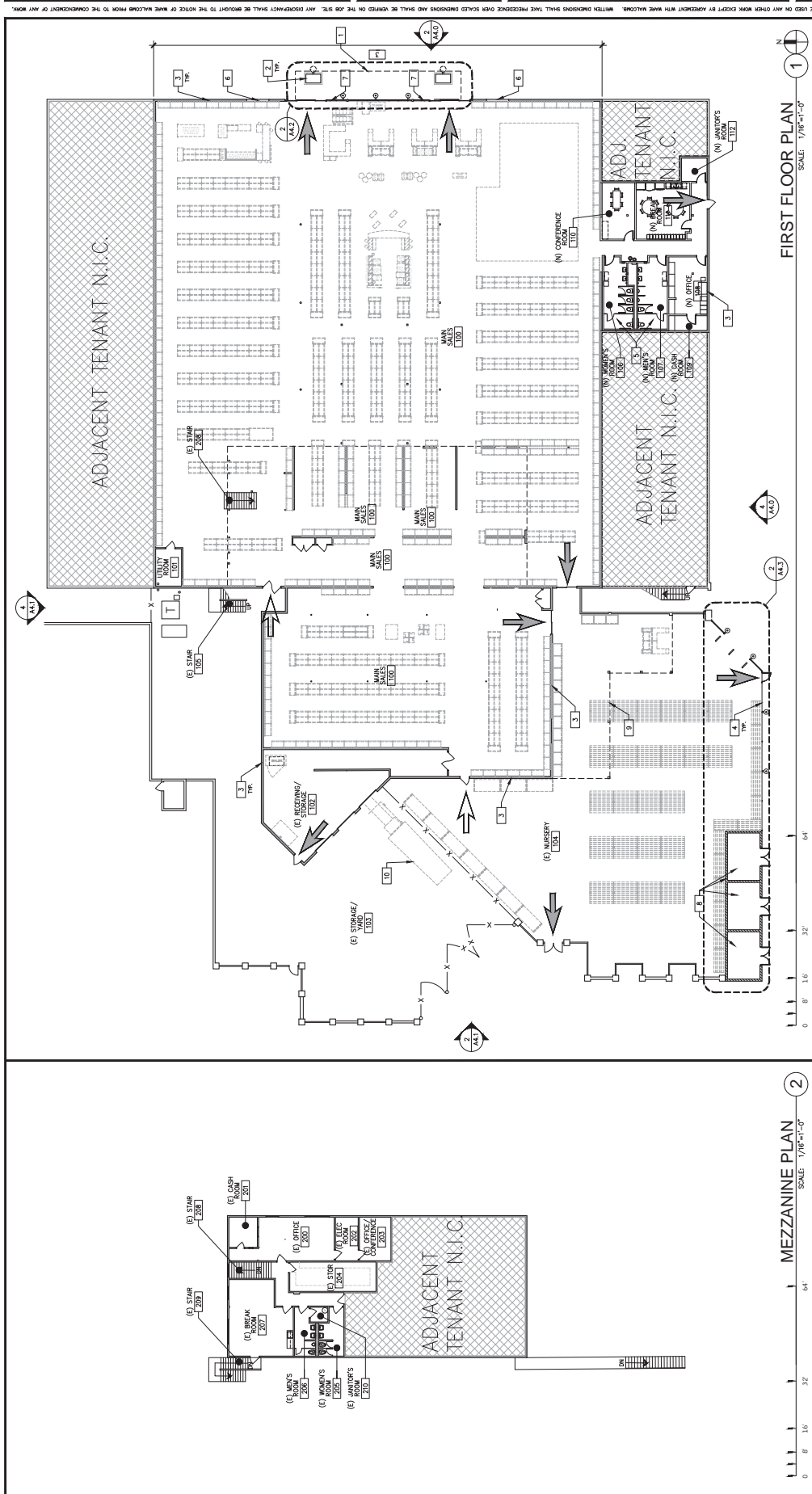
- LEGEND**
- EXISTING PARTITION
 - DEMO PARTITION
 - INDICATES AREA NOT IN CONTRACT (N.I.C.)
 - EXISTING CHAIN LINK FENCE
 - EXISTING CMU BLOCK WALL

DATE	04.16.2015
REMARKS	PLANNING SUBMITTAL
FLOOR PLAN	

PA / PW	A.C./A.D.
DRAWN BY	A.R.
JOB NO.	SR14-000-00
SHEET	

A2.1

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FLOOR PLAN NOTES

- 1. AREA SHOWN IN GREEN (COLOR: BENJAMIN MOORE - ORCHARD GREEN) IS TO BE PAINTED (COLOR: BENJAMIN MOORE - SAN ANTONIO GRAY BRICKS) IN ALL AREAS TO BE PAINTED (COLOR: BENJAMIN MOORE - SAN ANTONIO GRAY BRICKS).
- 2. EXISTING BUILDING PAINTED. SEE COLOR LEGEND ON A4.0 AND A4.1.
- 3. NEW STEEL FENCE WITH WROUGHT IRON APPEARANCE. NEW PAINTING, GATES, & MAN-DATES. SEE ELEVATIONS FOR COLOR.
- 4. NEW ACCESSIBLE RESTROOMS.
- 5. NEW INTEL WALL ABOVE TO MATCH EXISTING INTERIOR AND EXTERIOR (MATCH EXISTING SURFACE).
- 6. NEW ACCESSIBLE TOILETS AND AUTOMATIC SLUING GLASS DOOR SYSTEM.
- 7. NEW TRASH/RECYCLING ENCLOSURES WITH ROOF.
- 8. NEW CORRUGATED METAL DECK CANOPY ABOVE. AT 18' CLEAR.
- 9. NEW COMPACTOR.

LEGEND

- NEW PARTITION
- EXISTING PARTITION
- ACCESSIBLE LIGHT FIXTURES. SEE 7/A4.0
- UP/DOWN LIGHT FIXTURE. SEE 7/A4.0
- INDICATES REQUIRED EXIT DOOR.
- INDICATES REQUIRED FIRE ACCESS POINT FOR ROOM FIRE STORAGE (100' SEPARATION)
- INDICATES AREA NOT IN CONTRACT (N.I.C.)
- EXISTING CHAIN LINK FENCE
- EXISTING CHU BLOOR WALL

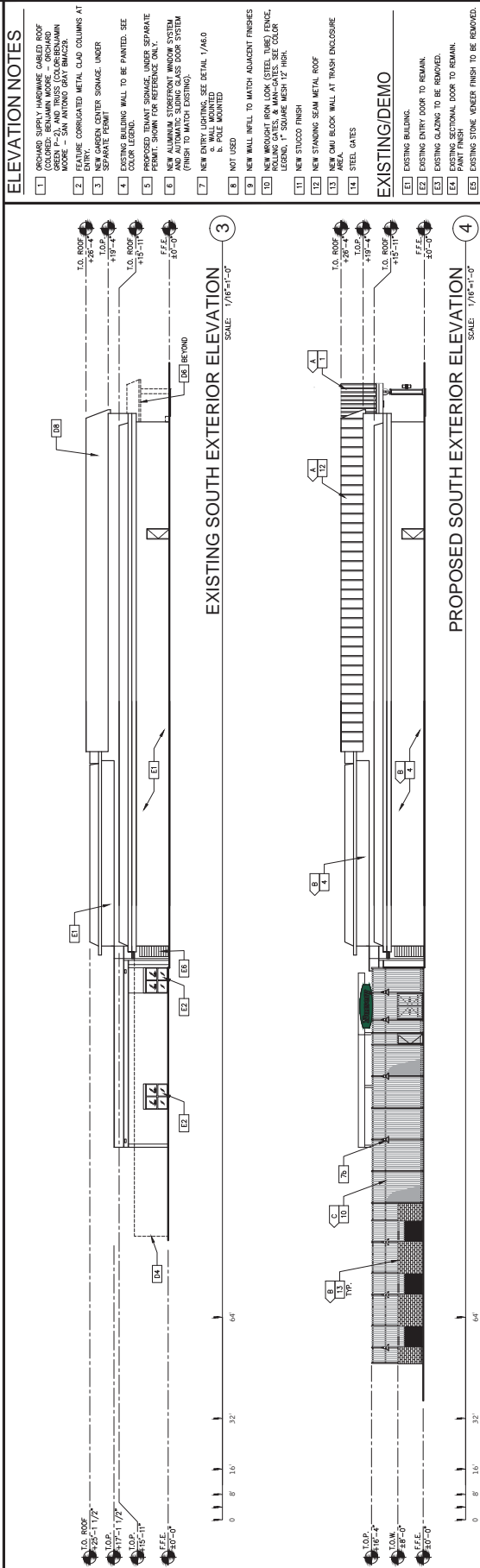
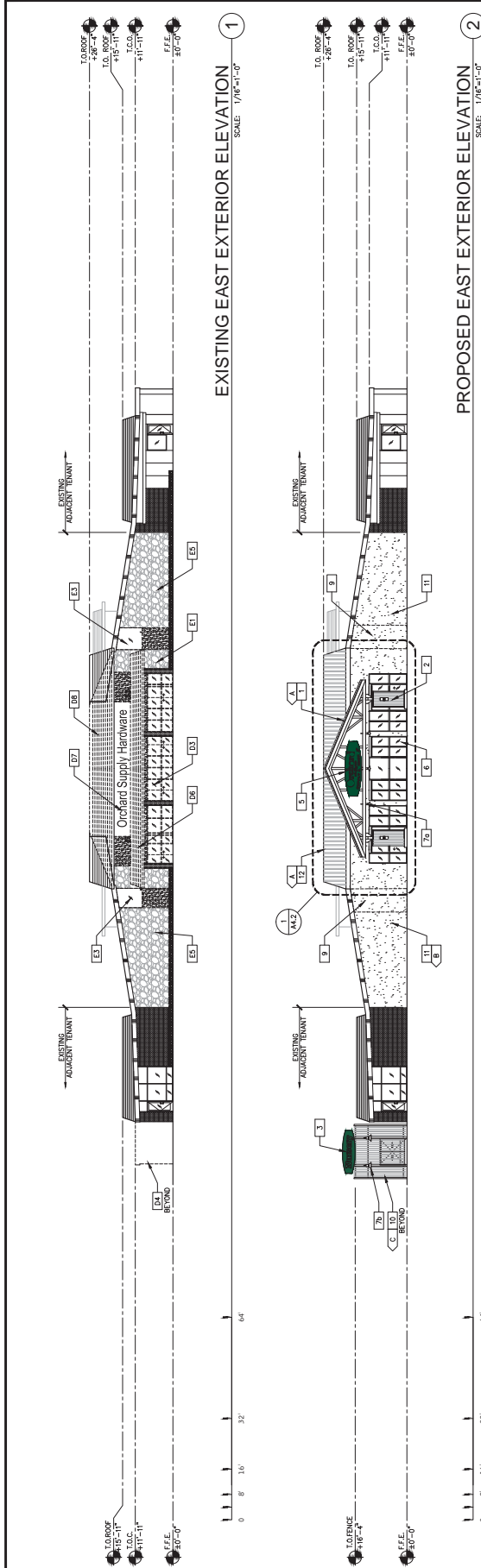
FIRST FLOOR PLAN
 SCALE: 1/8"=1'-0"

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

DATE	04.16.2015
REMARKS	PLANNING SUBMITTAL
EXTERIOR ELEVATIONS	

PA / PW	A.C.A.
DRAWN BY	A.J.R.
JOB NO.	15003
SHEET	1

A4.



ELEVATION NOTES

- ORCHARD SUPPLY HARDWARE GABLED ROOF COLORED: BENJAMIN MOORE - ORCHARD MOORE - SAN ANTONIO GRAY BUA223.
- FEATURE CORRUGATED METAL CLAD COLUMNS AT NEW GARDEN CENTER SOURCE. INFER SEPARATE PERMIT.
- EXISTING BUILDING WALL TO BE PAINTED. SEE COLOR LEGEND.
- PROPOSED TRIMM SOURCE, UNDER SEPARATE PERMIT. SHOW FOR REFERENCE ONLY. TRIMM AND AUTOMATIC SLIDING GLASS DOOR SYSTEM (FINISH TO MATCH EXISTING).
- NEW ENTRY LIGHTING. SEE DETAIL 1/A&O.
- NOT USED
- NEW WALL NETEL TO MATCH ADJACENT FINISHES
- NEW INSULATED PAN DOOR (SEES TRAIL) FINISH. ROLLING GATES. AS MAN-GATES. SEE COLOR LEGEND. 1" SQUARE MESH 1/2" HSHL.
- NEW STUCCO FINISH
- NEW STANDING SEAM METAL ROOF
- NEW CMU BLOCK WALL AT TRASH ENCLOSURE AREA.
- STEEL GATES

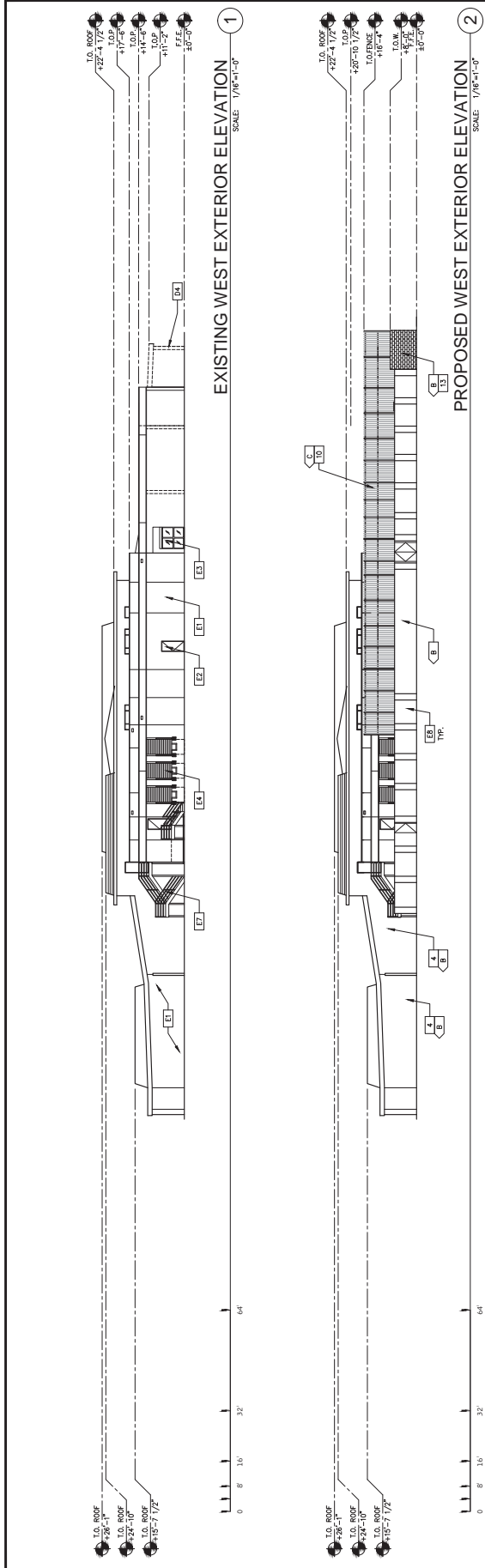
EXISTING/DEMO

- EXISTING BUILDING.
- EXISTING ENTRY DOOR TO REMAIN.
- EXISTING GLAZING TO BE REMOVED.
- EXISTING SECTIONAL DOOR TO REMAIN. PAINT FINISH
- EXISTING STONE BEYOND
- EXISTING STAIRS BEYOND
- EXISTING CMU WALL TO REMAIN
- EXISTING CMU WALL TO REMAIN
- NOT USED
- NOT USED
- EXISTING STONEFRONT AND GLAZING TO BE REMOVED.
- EXISTING EXTERIOR FENCING TO BE REMOVED.
- NOT USED
- EXISTING ENTRY CANOPY TO BE REMOVED.
- EXISTING SOURCE TO BE REMOVED.
- EXISTING ROOFING TO BE REMOVED.

ELEVATION LEGEND

- EXISTING VISION GLASS TO BE REMOVED
- EXISTING COLOR: BLACK LUMEL ANTI-RUST PAINT: <
- EXISTING VISION GLASS
- NEW VISION GLASS
- TEMPERED GLASS
- EXISTING/NEW BLDG CMU BLOCK: BM OCCUPANT GROVE PAINT: <
- EXISTING VISION GLASS
- NEW VISION GLASS
- TEMPERED GLASS
- EXISTING VISION GLASS TO BE REMOVED
- EXISTING COLOR: BLACK LUMEL ANTI-RUST PAINT: <
- EXISTING VISION GLASS
- NEW VISION GLASS
- TEMPERED GLASS
- SCOPE OF REDUCTION

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ELEVATION NOTES

- ORCHARD SUPPLY HARDWARE GABLED ROOF COLORED: BENJAMIN MOORE - ORCHARD MOORE - SAN ANTONIO GRAY BACC23.
- FEATURE CORRUGATED METAL CLAD COLUMNS AT NEW GARDEN CENTER. SOURCE: INSER SEPARATE PERMIT.
- EXISTING BUILDING WALL TO BE PAINTED. SEE COLOR LEGEND.
- PROPOSED TRIM SOURCE: UNDER SEPARATE PERMIT. SHOWN FOR REFERENCE ONLY. TRIM AND AUTOMATIC SLIDING GLASS DOOR SYSTEM (FINISH TO MATCH EXISTING).
- NEW ENTRY LIGHTING. SEE DETAIL 1/A1.0
 a. POLE MOUNTED
 b. POLE MOUNTED
- NOT USED
- NEW WALL NET TO MATCH ADJACENT FINISHES
- NEW INSURANCE PAN DOOR (SEE DETAIL 1/B.0). FINISH: ROLLING GRATES. AS MAN-GATES. SEE COLOR LEGEND. 1" SQUARE MESH 1/2" HSHL.
- NEW STUCCO FINISH
- NEW STANDING SEAM METAL ROOF
- NEW CMU BLOCK WALL AT TRASH ENCLOSURE AREA.
- STEEL GATES

EXISTING/DEMO

- EXISTING BUILDING.
- EXISTING ENTRY DOOR TO REMAIN.
- EXISTING GLAZING TO BE REMOVED.
- EXISTING SECTIONAL DOOR TO REMAIN. PAINT FINISH
- EXISTING STAIRS BEHIND
- EXISTING STAIRS TO REMAIN
- EXISTING CMU WALL TO REMAIN
- NOT USED
- EXISTING STONEFRONT AND GLAZING TO BE REMOVED.
- EXISTING EXTERIOR FENCING TO BE REMOVED.
- NOT USED
- EXISTING ENTRY CANOPY TO BE REMOVED.
- EXISTING SIGNAGE TO BE REMOVED.
- EXISTING ROOFING TO BE REMOVED.

ELEVATION LEGEND

- EXISTING/NEW BLDG CMU BLOCK. BM OCCUPANT GROVE PAINT.
- EXISTING VISION GLASS
- NEW VISION GLASS
- TEMPERED GLASS
- EXISTING COLOR: BLACK LUMBER ANTI-RUST PAINT.
- EXISTING VISION GLASS
- NEW VISION GLASS
- TEMPERED GLASS
- EXISTING VISION GLASS TO BE REMOVED
- FENCING COLOR: BLACK LUMBER ANTI-RUST PAINT.
- STANDING SEAM ROOF: BM OCCUPANT GROVE.
- CORRUGATED METAL
- SCOPE OF REDUCTION

EXISTING NORTH EXTERIOR ELEVATION (Scale 1/16"=1'-0")

PROPOSED NORTH EXTERIOR ELEVATION (Scale 1/16"=1'-0")

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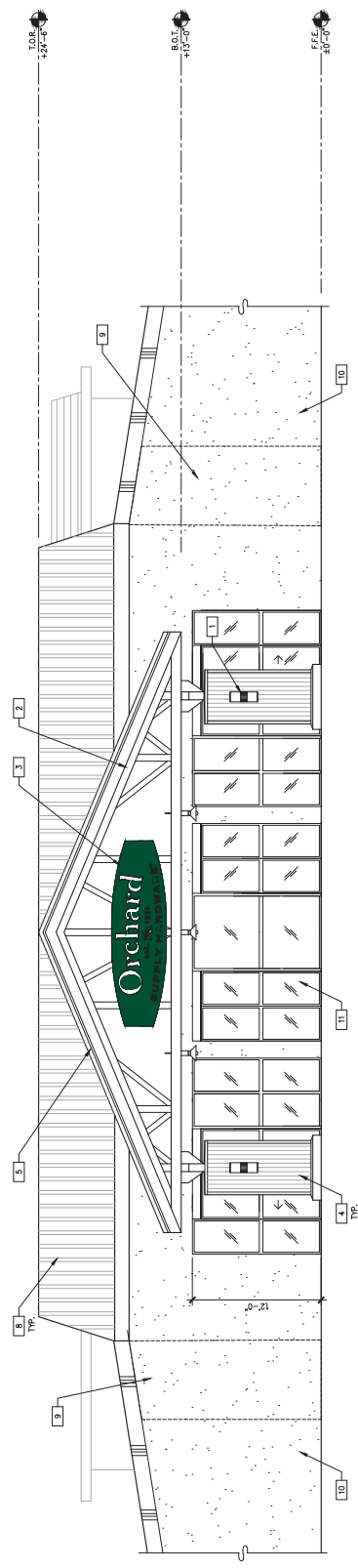
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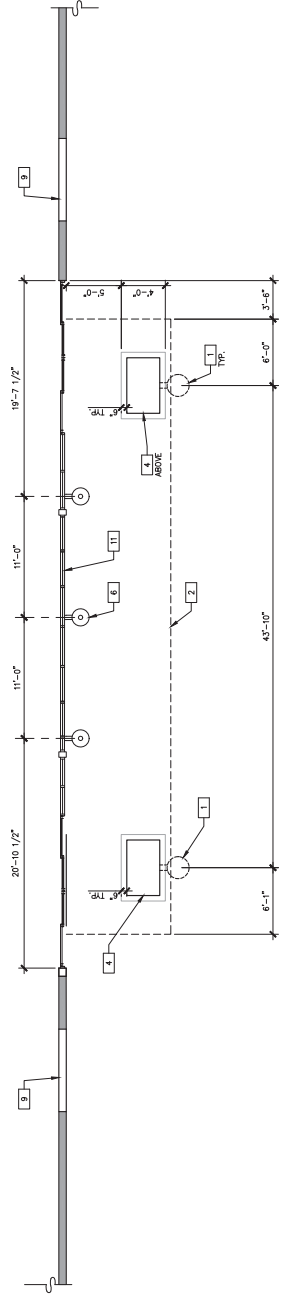
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REMARKS	

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DOB NO.:	1000
SHEET	
SHEET	

A4



ENTRY TRUSS AND CANOPY PLAN
SCALE: 3/16"=1'-0"



ENTRY TRUSS AND CANOPY PLAN
SCALE: 3/16"=1'-0"

ELEVATION NOTES

- 1. INSTALL "UP-DOWN BOY WALL SOURCE" LIGHT FIXTURE.
- 2. NEW ORCHARD SUPPLY HARDWARE PROTOTYPE GABLE TRUSS.
- 3. NEW SOURCE - UNDER SEPARATE PERMIT.
- 4. FINISH OVER NEW COLUMN. PROVIDE NEW STRUCTURAL BACK AND BRACING.
- 5. INSTALL NEW STANDING SEAM METAL ROOF OVER 3/4" PLYWOOD SHEATHING INSTALLED OVER WOOD STUD FRAMING.
- 6. INSTALL "DOORNECK WALL SOURCE" LIGHT FIXTURES.
- 7. EXISTING BRICK WALL TO REMAIN. INSPECT FOR DAMAGE AND DETERIORATION. REPAIR AND REFINISH WITH MATCHING BRICK AND PAINT.
- 8. NEW STANDING SEAM METAL ROOFING.
- 9. NEW WALL METAL.
- 10. NEW SIDING FINISH.
- 11. STOREFRONT AS SCHEDULED.

ELEVATION LEGEND

- STANDING SEAM ROOF:
88 ORCHARD GREEN.
- WALL GLASS
- TEMPERED GLASS

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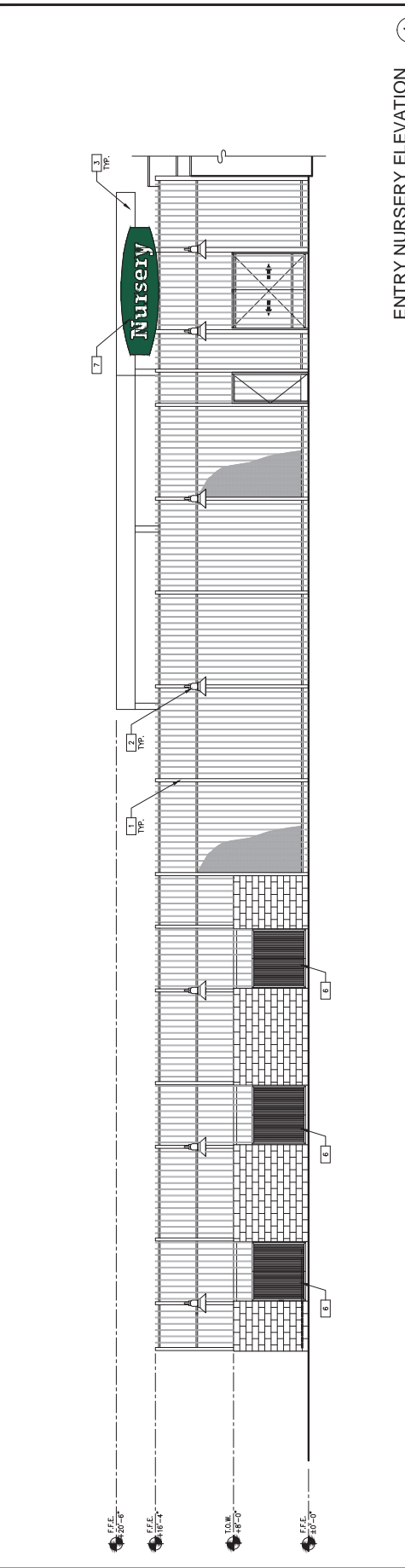
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 landscape
 graphics
 civil engineering
 10033 santa monica Blvd. ste. 150
 VAN NUYS, CA 91411

Orchard
 SUPPLY MARKET
 1601 41ST AVENUE
 CAPITOLA, CA 95010

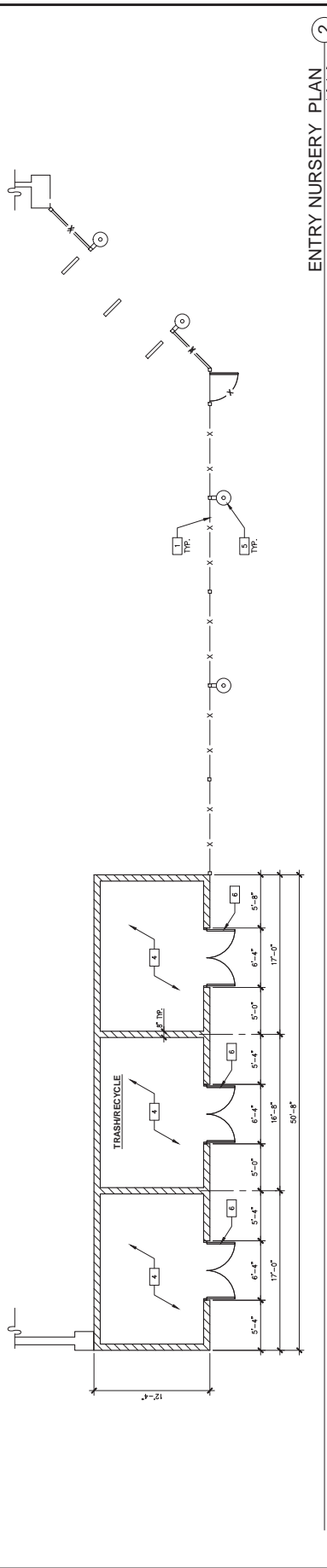
DATE	04.16.2015
PLANNING SUBMITTAL	
REMARKS	
NURSERY ENTRANCE	

PA / PW:	A.C./A.D.
DRAWN BY:	A.A.
JOB NO.:	SERVA-000-00

A4.3
 SHEET



1 ENTRY NURSERY ELEVATION
 SCALE: 3/16"=1'-0"



2 ENTRY NURSERY PLAN
 SCALE: 3/16"=1'-0"

ELEVATION NOTES

1. NEW 2" X 4" WALL BRACKET WITH ROUND CAPTES & WALL CAPTES. SEE ELEVATIONS FOR COLOR.
2. NEW POST MOUNTED ENTRY LIGHTING.
3. NEW GARDEN CENTER CORRUGATED METAL DECK CANOPY BEYOND
4. NEW TRASH/RECYCLING ENCLOSURE.
5. INSTALL "CORNER" WALL SOURCE LIGHT FIXTURES.
6. NEW STEEL GATED AT TRASH/RECYCLING ENCLOSURE 6'-4" X 7'-8"
7. NEW SIGNAGE - UNDER SEPARATE PERMIT.

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Orchard
 SUPPLY HANDMAN
 1601 41ST AVENUE
 CAPITOLA, CA 95010

DATE	DATE	DATE
PLANNING	PERMITS	CONSTRUCTION
02/15/2019	02/15/2019	02/15/2019
PA / PH	AC / ALD	
DRAWN BY:	JOB NO.:	SHEET
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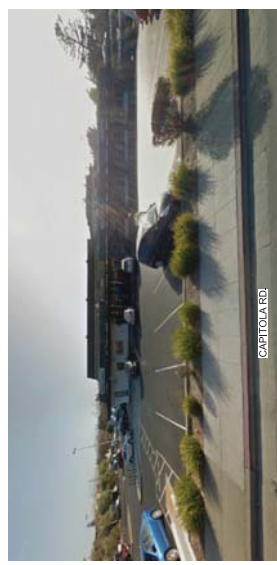
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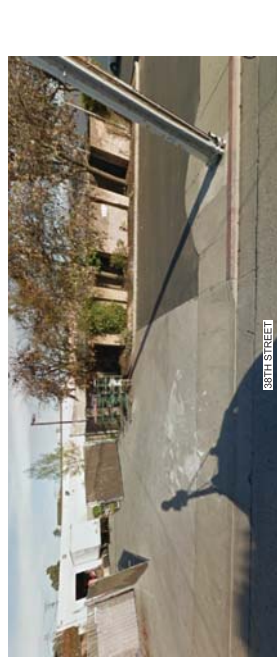
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C BUILDING SITE PHOTO
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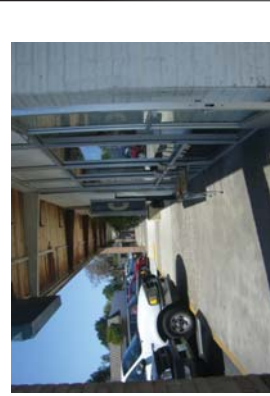
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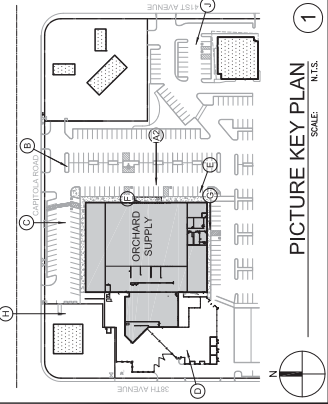
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I PICTURE KEY PLAN
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MEMORANDUM

From: Frederik Venter, PE, Janice Soriano, EIT – Kimley-Horn and Associates
To: Katie Cattan, AICP – City of Capitola
Date: May 28, 2015
Re: Trip Generation & Parking Analysis for the OSH Store Expansion in Capitola

This memorandum contains the trip generation and parking analysis requested for the Orchard Supply Hardware (OSH) Store in Kings Plaza Shopping Center on 41st Avenue in Capitola, California. The project proposes to remodel the existing OSH Store to provide an additional 744 square feet to its nursery area, which is located in the back (southwest side) of the building. Additionally, the project proposes to include a permanent outdoor display area of 616 square feet at the front (east side) of the building and a seasonal sales area that will take up 2,218 square feet of the parking lot east of the OSH Store building. The Proposed OSH Store Site Plan can be found in Appendix A. No parking will be lost with the 616-square-foot display area.

A parking analysis is provided in this memo to evaluate the parking supply, demand, and requirements per City code at the Kings Plaza Shopping Center due to the OSH Store remodel. Methods to conduct the parking study are based on the shared parking model utilizing ITE and ULI shared parking methodologies assumed in the parking study previously submitted by Kimley-Horn for Kings Plaza Shopping Center in February 2014.

1. Trip Generation

To determine the increase in the number of daily, AM peak hour and PM peak hour trips due to the OSH Store nursery expansion, trip generation for both existing and proposed conditions were calculated and the net project trips were then found. Using rates published by the *ITE Trip Generation Handbook, 9th Edition* in 2012, the project is expected to generate a net increase of 23 daily trips, a net increase of 1 trip in the AM peak (0 in, 1 out), and a net increase of 2 trips in the PM peak (1 in, 1 out). Table 1 below summarizes these calculations.



Table 1. Trip Generation for OSH Store

Land Uses	ITE Land Use Code	Project Size	WEEKDAY	AM PEAK HOUR			PM PEAK HOUR						
			Daily Trips	Total Peak Hour	% Of ADT	IN / OUT	Total Peak Hour	% Of ADT	IN / OUT				
Rates													
Orchard Supply Hardware													
Home Improvement Superstore ²	862		30.74	1.49	5%	57%	/	43%	2.33	8%	49%	/	51%
Warehousing	150		3.56	0.30	8%	79%	/	21%	0.32	9%	25%	/	75%
Existing Uses													
Orchard Supply Hardware													
Home Improvement Superstore	862	45.52 1,000 Sq Ft GLA	1,399	68		39	/	29	106		52	/	54
Warehousing	150	7.93 1,000 Sq Ft	28	2		1	/	1	3		1	/	2
Subtotal: Existing Uses			1,427	70		40	/	30	109		53	/	56
Proposed Uses													
Orchard Supply Hardware													
Home Improvement Superstore	862	46.27 1,000 Sq Ft GLA	1,422	69		39	/	30	108		53	/	55
Warehousing	150	7.93 1,000 Sq Ft	28	2		1	/	1	3		1	/	2
Subtotal: Proposed Uses			1,450	71		40	/	31	111		54	/	57
Net Project Trips Generated			23	1		0	/	1	2		1	/	1

Notes:

1. Trip generation rates published by Institute of Transportation Engineers (ITE), "Trip Generation," 9th Edition, 2012.
2. The salesfloor and the nursery of the OSH store most closely match ITE Land Use 862, Home Improvement Store, and are therefore together defined under this land use.

2. Parking Analysis

Kings Plaza currently comprises 161,085 square feet of gross floor area (GFA) dedicated to various retail and restaurant uses, as well as the CineLux Theatres which hosts 674 seats. CineLux Theatres will be expanded in the near future to accommodate a total of 892 seats and 18,035 square feet GFA. Kimley-Horn submitted a shared parking study for Kings Plaza Shopping Center on February 24, 2014 that specifically evaluated the expected parking demand due to this movie theater expansion. This study can be found in Appendix B.

This memo evaluates the impacts of the OSH Store renovations on parking while taking into account findings from the 2014 study. While the nursery expansion and the permanent outdoor display area would not displace any parking, the seasonal display area would displace a portion of the parking lot twice per year. The number of parking spaces required by the City is therefore calculated to compare with total parking supply during seasonal and non-seasonal periods.

City Parking Requirements

For purposes of this study, the movie theater expansion is assumed to be completed when the OSH Store renovations are complete. Required parking for Kings Plaza, including both the CineLux Theatre and OSH Store expansions, is calculated in Table 2 based on the parking standards contained in Section 17.51.130 of the Capitola Municipal Code.



Table 2. Required Parking for Kings Plaza in Project Conditions

Land Uses			City Requirements ²	
ITE LU Code(s) ¹	Description	Project Conditions Size	# Spaces	Quantity per Unit
Orchard Supply Hardware Store				
862	Home Improvement Store - retail	46,268 SF	155	1 per 300 SF GFA
150	Warehousing	7,933 SF	2	1 per 5,000 SF
<i>Subtotal: OSH Store</i>		<u>54,201 SF</u>	<u>157</u>	
Shopping Center Uses (ITE LU 820)				
820	Retail	35,533 SF	119	1 per 300 SF GFA
820	Restaurant Other ³	9,300 SF	93	1 per 300 SF kitchen area; 1 per 60 SF dining area
<i>Subtotal: Shopping Center Uses</i>		<u>44,833 SF</u>	<u>212</u>	
Other				
444	Movie Theater w/Matinee	892 seats	298	1 per 3 seats
850a	Supermarket (suburban) - retail	24,823 SF	83	1 per 300 SF GFA
880	Pharmacy/Drugstore w/o Drive-Through Window - retail	20,940 SF	70	1 per 300 SF GFA
932a1	Restaurant Dining ³	5,397 SF	54	1 per 300 SF kitchen area; 1 per 60 SF dining area
<i>Subtotal: Other</i>		<u>69,195 SF</u>	<u>505</u>	<i>spaces</i>
<i>Total Proposed Kings Plaza Area</i>		<u>168,229 SF</u>		
Total Supply (Average Weekday/Weekend)		654 spaces		
Total Supply (Seasonal Peak Weekday/Weekend)		642 spaces		
TOTAL SPACES/DEMAND (BASED ON INDIVIDUAL USES PER ITE)			874 spaces	

Notes:

1. The average peak period parking demand is calculated based on methods used in the *ITE Parking Generation, 4th Edition (2010)*.
2. Required parking is determined based on parking standards contained in Section 17.51.130 of the Capitola Municipal Code.
3. Restaurant uses are assumed to contain 50% kitchen space and 50% dining space.

Based on the Municipal Code, Kings Plaza would be required to provide approximately 874 spaces. Per the Proposed Site Plan in Appendix A, the shopping center currently provides 654 parking spaces for employees and customers. Additionally, as previously mentioned, the 2,218-square-foot seasonal sales area on the parking lot would displace approximately 12 parking spaces two times per year¹, decreasing the seasonal parking supply to 642 spaces.

The parking requirement per the City Zoning Code is much higher than the parking supply at Kings Plaza because it does not take into consideration shared parking principles. Observations by Kimley-Horn staff indicate there are still ample on-site parking spaces to meet the current needs of Kings Plaza². These observations are also consistent with average rates reported in *ITE Parking Generation*.

¹ Per email from Ema Shahinian to Katie Cattan on 4/13/15, the seasonal sales area in the parking lot will be utilized two times per year accordingly: 1) Late February to March (30 consecutive calendar days) to display flowers, seeds, pots and soils; 2) Entire month of December (30 consecutive calendar days) to display Christmas trees and holiday decorations.

² April 23, 2015 observation made between 4-5PM which showed a parking demand of 273 vehicles.



Shared Parking Analysis

To account for impacts on parking when the OSH Store is renovated, two methods were used to estimate shared parking demand. The two methods were adapted from the 2014 shared parking study completed by Kimley-Horn. The methodology and results from each are described in detail below.

Both methods assess shared parking for a typical Weekday and Saturday, as well as for a December Weekday and Saturday in order to account for the decreased parking supply during times when the seasonal sales area is in use. Data contained in *Parking Generation 4th Edition* published by ITE were used. In some cases, data was not available for all land use types; therefore the following assumptions in both methods were made regarding the data:

1. Parking demand for Kings Plaza Shopping Center was calculated based on average demand.
2. Average and December weekday demand for all land uses is calculated for Mondays-Thursday, except for movie theaters. Weekday demand for the movie theater was based on Friday conditions because movie theaters typically have higher parking demand on Fridays during the weekday.
3. Average and December weekend demand for all land uses is calculated for Saturdays, except for warehousing. Warehousing rates are not available for Saturdays; therefore, the Saturday rates were assumed to be the same as a typical weekday.
4. December weekday and December weekend demand for all land uses are assumed to be the same as Average weekday and Average weekend conditions, respectively, for the movie theater and for warehousing.

Separated Land Uses Methodology

In this scenario parking was calculated by separating land uses into the following categories:

- Home Improvement Store (OSH Store and nursery area)
- Warehousing (separate OSH building materials pick-up yard)
- Movie Theater
- Supermarket
- Pharmacy/Drugstore
- High-Turnover Sit Down Restaurant
- Shopping Center (retail and other restaurants uses)

The OSH Store consists of two land uses per ITE: Home Improvement Store (LU Code 862) and Warehousing (LU Code 150). The OSH Store building and nursery area together most closely match LU Code 862, while the OSH Store materials pick-up yard most closely matches LU Code 150.

The Movie Theater (CineLux Theatre), Supermarket (Savemart), Pharmacy/Drugstore (Rite Aid), and High-Turnover Sit Down Restaurant (IHOP) most closely match ITE LU Codes 444, 850a, 880, and 932a1, respectively.



All other restaurant and retail uses were combined and therefore most closely match ITE LU Code 820.

Table 3 summarizes the supply and demand determined using the separated land use methodology and compares them against parking requirements determined per City code. Parking supply and demand were calculated for the average weekday, average weekend, December weekday, and December weekend in pre-project and project conditions. The occupied parking spaces were then calculated to reflect the current parking demand observed at Kings Plaza by Kimley-Horn staff.³

The percentage of spaces occupied on an average weekday/weekend was calculated from dividing the estimated peak demand by the 654 spaces in the entire lot. The percentage of spaces occupied when the OSH Store seasonal display area is in use was calculated from dividing the estimated peak demand by the 642 spaces not occupied by the seasonal display area. Counted parking demand calculations depict that minimal impact on parking is made from expanding the nursery area and adding a seasonal display area. In project conditions, the counted parking demand shows that the parking lot would be 42% occupied on an average weekday and 44% occupied on an average weekend, and that the project would occupy between 1 and 2 additional parking spaces in both conditions. Similarly, with project implementation, the lot would be 47% occupied on a December weekday and 50% occupied on a December weekend, and the project would occupy 1 additional parking space in both conditions.

³ Counted parking demand was determined by proportioning ITE shared parking demand based on April 23, 2015 observation made between 4-5PM by Kimley-Horn staff, which showed a parking demand of 273 vehicles.

Table 3. Parking Requirements, Supply & Demand – Separated Land Use Methodology

Land Uses				City Requirements ²		Average Weekday ³		Average Weekend ⁴		December Weekday ^{3,6}		December Weekend ^{4,6}			
ITE LU Code(s) ¹	Description	Pre-Project Conditions Size ⁵		Project Conditions Size		# Spaces	Quantity per Unit	Pre-Project Peak Total Demand	Project Peak Total Demand	Pre-Project Peak Total Demand	Project Peak Total Demand	Pre-Project Peak Total Demand	Project Peak Total Demand		
Orchard Supply Hardware Store															
862	Home Improvement Store	45,524	SF	46,268	SF	155	1 per 300 SF GFA	102	103	145	148	90	92	129	131
150	Warehousing	7,933	SF	7,933	SF	2	1 per 5,000 SF	4	4	4	4	4	4	4	4
<i>Subtotal: OSH Store</i>		<u>53,457</u>	<i>SF</i>	<u>54,201</u>	<i>SF</i>	<u>157</u>		<u>106</u>	<u>107</u>	<u>149</u>	<u>152</u>	<u>94</u>	<u>96</u>	<u>133</u>	<u>135</u>
Shopping Center Uses (ITE LU 820)															
820	Retail	35,533	SF	35,533	SF	119	1 per 300 SF GFA								
820	Restaurant Other	9,300	SF	9,300	SF	93	1 per 300 SF kitchen area; 1 per 60 SF dining area								
<i>Subtotal: Shopping Center Uses</i>		<u>44,833</u>	<i>SF</i>	<u>44,833</u>	<i>SF</i>	<u>212</u>		<u>114</u>	<u>114</u>	<u>129</u>	<u>129</u>	<u>169</u>	<u>169</u>	<u>209</u>	<u>209</u>
Other															
444	Movie Theater w/Matinee	892	seats	892	seats	298	1 per 3 seats	232	232	169	169	232	232	169	169
850a	Supermarket (suburban)	24,823	SF	24,823	SF	83	1 per 300 SF GFA	94	94	97	97	101	101	105	105
880	Pharmacy/Drugstore w/o Drive-Through Window	20,940	SF	20,940	SF	70	1 per 300 SF GFA	46	46	62	62	53	53	71	71
932a1	Restaurant Dining	5,397	SF	5,397	SF	54	1 per 300 SF kitchen area; 1 per 60 SF dining area	57	57	73	73	59	59	76	76
<i>Subtotal: Other</i>		<u>69,195</u>	<i>SF</i>	<u>69,195</u>	<i>SF</i>	<u>505</u>	<i>spaces</i>	<u>429</u>	<u>429</u>	<u>401</u>	<u>401</u>	<u>445</u>	<u>445</u>	<u>421</u>	<u>421</u>
Total Supply (Average Weekday/Weekend)				654 spaces											
Total Supply (Seasonal Peak Weekday/Weekend)				642 spaces											
TOTAL SPACES/DEMAND (BASED ON INDIVIDUAL USES PER ITE)						874 spaces		649 650		679 682		708 710		763 765	
TOTAL COUNTED DEMAND ⁷								273 274		286 288		298 299		321 322	
% OCCUPIED								42% 42%		44% 44%		46% 47%		50% 50%	

Notes:

- The average peak period parking demand is calculated based on methods used in the *ITE Parking Generation, 4th Edition (2010)*.
- Required parking is determined based on parking standards contained in Section 17.51.130 of the Capitola Municipal Code.
- Average and December Weekday demand is calculated for Mondays-Thursdays, except for the following uses:
 - ITE LU Code 444 - weekday peak demand is based on Friday conditions because movie theaters typically have higher parking demand on Fridays during the weekday.
- Average and December Weekend demand is calculated for Saturdays, except for the following uses:
 - ITE LU Code 150 - weekend peak demand is not available for the Weekend (Saturday); therefore, the Saturday demand rates are assumed to be the same as a weekday.
- Pre-project Conditions assume that the approved Cinelux Theatre expansion to accommodate 892 seats is complete.
- Peak total demand during December weekday and weekend conditions are assumed to be the same as peak total demand during Average weekday and weekend conditions, respectively, for the following uses:
 - ITE LU Code 444 - Movie Theater w/Matinee
 - ITE LU Code 150 - Warehousing
- Total counted demand was determined by proportioning Total ITE demand based on the 273 occupied parking spaces counted by Kimley-Horn during typical weekday peak hour on 4/23/15.



Shared Land Uses Methodology

In this scenario parking was calculated by combining the various land uses into three categories:

- Movie Theater
- Warehousing (separate OSH building materials pick-up yard)
- Shopping Center (retail and other restaurants uses)

The CineLux Theatre most closely matches the Movie Theater with Matinee (LU Code 444), just as it had been categorized for the separate land uses method.

The OSH Store under this methodology is split into two land uses per ITE: Warehousing (LU Code 150) and Shopping Center (LU Code 820). The OSH Store building and nursery area together most closely match LU Code 862, while the OSH Store materials pick-up yard most closely matches LU Code 150.

All other restaurant and remaining retail uses not mentioned previously were again combined and therefore most closely match ITE LU Code 820.

Table 4 summarizes the supply and demand determined using the shared land use methodology and compares them against parking requirements determined per City code. Parking supply and demand were calculated for the average weekday, average weekend, December weekday, and December weekend in pre-project and project conditions. The occupied parking spaces were then calculated to reflect the current parking demand observed at Kings Plaza by Kimley-Horn staff.⁴

The percentage of spaces occupied on an average weekday/weekend was calculated from dividing the estimated peak demand by the 654 spaces in the entire lot. The percentage of spaces occupied when the OSH Store seasonal display area is in use was calculated from dividing the estimated peak demand by the 642 spaces not occupied by the seasonal display area. The results using the shared land use methodology show a significantly lower parking demand than the separated land use methodology overall. Counted parking demand calculations depict that minimal impact on parking is made from expanding the nursery area and adding a seasonal display area. In project conditions, the counted parking demand shows that the parking lot would be 42% occupied on an average weekday and 41% occupied on an average weekend, and that the project would occupy 1 additional parking space in both conditions. Similarly, with project implementation, the lot would be 55% occupied on a December weekday and 60% occupied on a December weekend, and the project would occupy 1 additional parking space in both conditions.

⁴ Counted parking demand was determined by proportioning ITE shared parking demand based on April 23, 2015 observation made between 4-5PM by Kimley-Horn staff, which showed a parking demand of 273 vehicles.

Table 4. Parking Requirements, Supply & Demand – Shared Land Use Methodology

Land Uses				City Requirements ²		Average Weekday ³		Average Weekend ⁴		December Weekday ^{3,6}		December Weekend ^{4,6}	
ITE LU Code(s) ¹	Description	Pre-Project Conditions Size ⁵	Project Conditions Size	# Spaces	Quantity per Unit	Pre-Project Peak Total Demand	Project Peak Total Demand	Pre-Project Peak Total Demand	Project Peak Total Demand	Pre-Project Peak Total Demand	Project Peak Total Demand	Pre-Project Peak Total Demand	Project Peak Total Demand
Movie Theater													
444	Movie Theater w/Matinee	892 seats	892 seats	298	1 per 3 seats	232	232	169	169	232	232	169	169
Warehouse													
150	Warehousing	7,933 SF	7,933 SF	2	1 per 5,000 SF	4	4	4	4	4	4	4	4
Shopping Center													
820	Home Improvement Store	45,524 SF	46,268 SF	155	1 per 300 SF GFA								
820	Retail	35,533 SF	35,533 SF	119	1 per 300 SF GFA								
820	Restaurant Other	9,300 SF	9,300 SF	93	1 per 300 SF kitchen area; 1 per 60 SF dining area								
820	Supermarket (suburban)	24,823 SF	24,823 SF	83	1 per 300 SF GFA								
820	Pharmacy/Drugstore w/o Drive-Through Window	20,940 SF	20,940 SF	70	1 per 300 SF GFA								
820	Restaurant Dining	5,397 SF	5,397 SF	54	1 per 300 SF kitchen area; 1 per 60 SF dining area								
Subtotal: Shopping Center		141,517 SF	142,261 SF	574	spaces	361	363	406	408	532	535	661	664
Total Supply (Average Weekday/Weekend)			654 spaces										
Total Supply (Seasonal Peak Weekday/Weekend)			642 spaces										
TOTAL SPACES/DEMAND (BASED ON SHARED USES PER ITE)				874	spaces	597	599	579	581	768	771	834	837
TOTAL COUNTED DEMAND⁷						273	274	265	266	352	353	382	383
% OCCUPIED						42%	42%	41%	41%	55%	55%	60%	60%

Notes:

- The average peak period parking demand is calculated based on methods used in the *ITE Parking Generation, 4th Edition (2010)*.
- Required parking is determined based on parking standards contained in Section 17.51.130 of the Capitola Municipal Code.
- Average and December Weekday demand is calculated for Mondays-Thursdays, except for the following uses:
 - ITE LU Code 444 - weekday peak demand is based on Friday conditions because movie theaters typically have higher parking demand on Fridays during the weekend.
- Average and December Weekend demand is calculated for Saturdays, except for the following uses:
 - ITE LU Code 150 - weekend peak demand is not available for the Weekend (Saturday); therefore, the Saturday demand rates are assumed to be the same as a weekday.
- Pre-project Conditions assume that the approved Cinelux Theatre expansion to accommodate 892 seats is complete.
- Peak total demand during December weekday and weekend conditions are assumed to be the same as peak total demand during Average weekday and weekend conditions for the following uses:
 - ITE LU Code 444 - Movie Theater w/Matinee
 - ITE LU Code 150 - Warehousing
- Total counted demand was determined by proportioning Total ITE demand based on the 273 occupied parking spaces counted by Kimley-Horn during typical weekday peak hour on 4/23/15.



3. Conclusions

The OSH Store renovations include a 744-square-foot expansion to the nursery area and the addition of one permanent outdoor display area and one seasonal sales area on the parking lot. This project is expected to generate a net increase of 23 daily trips, a net increase of 1 trip in the AM peak and 2 trips in the PM peak to Kings Plaza. This increase is insignificant.

The parking evaluation, based on data published by ITE, confirms that the OSH Store renovations would not significantly impact parking at Kings Plaza. With project implementation, Kings Plaza is anticipated to have sufficient on-site parking spaces under average weekday and weekend conditions when considering shared parking principles. Based on the counted parking demand at Kings Plaza, both shared parking study methodologies indicate that parking demand would be approximately 42% during a typical weekday peak and between 41% and 44% during a typical weekend peak. Kings Plaza is also anticipated to have sufficient on-site parking spaces under December (seasonal peak) conditions, with counted parking demand calculations estimating between 47% and 55% parking lot occupancy during a December weekday peak and between 50% and 60% occupancy during a December weekend peak. Under any of these conditions, the project is anticipated to add no more than 2 additional parking spaces to the current parking demand at Kings Plaza, and this increase is insignificant.

Appendices

A: Proposed Site Plan, Orchard Supply Hardware. Ware Malcomb, 06 April 2015.

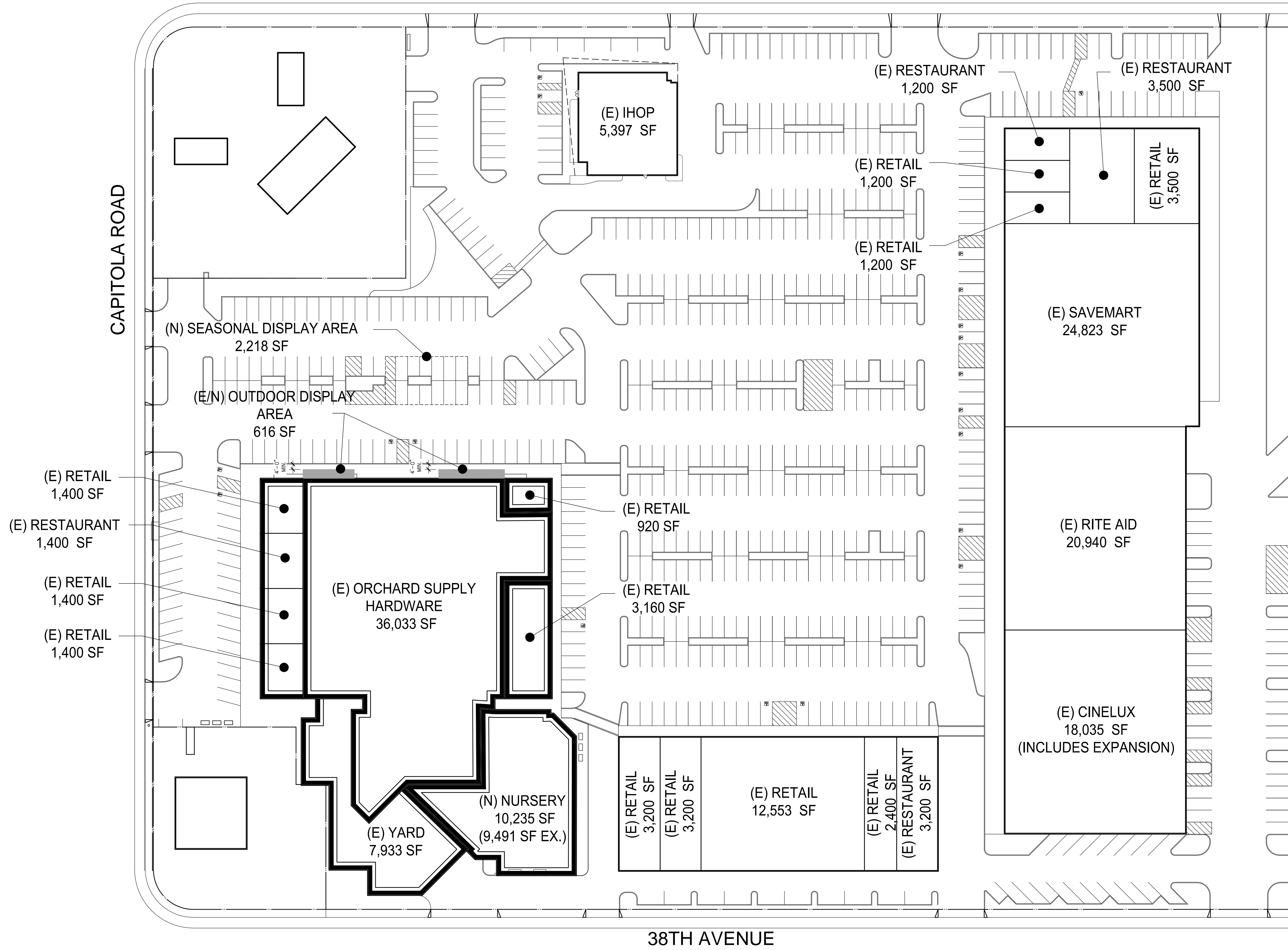
B: Kings Plaza Shopping Center Shared Parking Evaluation Memo. Kimley-Horn, 25 February 2014.

Appendix A

Proposed Site Plan

Orchard Supply Hardware

RETAIL PARKING	654 STALLS
EXISTING PARKING:	0 STALLS
NEW PARKING:	0 STALLS
TOTAL PARKING PROVIDED:	654 STALLS



CAPITOLA ROAD

38TH AVENUE

NOTE:
 THIS CONCEPTUAL DESIGN PLAN IS BASED UPON A PRELIMINARY REVIEW OF ENTITLEMENT REQUIREMENTS AND ON UNVERIFIED AND POSSIBLY INCOMPLETE SITE INFORMATION, AND IS INTENDED MERELY TO ASSIST IN EXPLORING HOW THE SITE MIGHT BE DEVELOPED.



scheme:1

Proposed Site Plan

Orchard Supply Hardware
 1601 41st Ave, Capitola, California

WARE MALCOMB

SNR14-0020-00
 04.06.2015

SHEET
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Appendix B

Shared Parking Study

Kings Plaza Shopping Center



Kimley-Horn
and Associates, Inc.

Memorandum

To: Katie Cattan, AICP
Senior Planner
City of Capitola
420 Capitola Avenue
Capitola, CA 95010

From: Frederik Venter

Date: February 25, 2014

Re: King's Plaza Shopping Center Shared Parking Evaluation

Suite 250
100 W. San Fernando Street,
San Jose, CA 95113

Office: 669-800-4146

BACKGROUND

King's Plaza Shopping Center is located at the intersection of 41st Avenue and Capitola Road. The shopping center includes a mix of uses including a movie theater, grocery store, hardware store, restaurants, and other retail.

In 2008 a shared parking study was prepared to evaluate the effect of increasing restaurant uses at the shopping center.¹ Although King's Plaza contains a variety of tenants, the site was evaluated as a combination of three uses which comprised movie theater, shopping center, and warehouse.² The 2008 study concluded that there was sufficient parking available to accommodate the proposed increase in restaurant uses during typical weekday and weekend conditions.

It is now proposed that the 6,400 square foot Capitola Book Café be eliminated to permit expansion of the CineLux Theatre from 675 seats to 892 seats, which may increase parking demand at the shopping center. This memorandum contains an evaluation of the expected parking demand at the shopping center if the movie theater is expanded.

¹ Shared Parking Study for King's Plaza 1601 41st Avenue, Marquez Transportation Engineering, December 23, 2008.

² The warehouse use was for the Orchard Supply Hardware (OSH) drive-through pickup facility which is separate from the main hardware store.



METHODOLOGY

Kimley-Horn estimated shared parking demand using two methods:

1. Using separate land uses comprising the movie theater (CineLux), grocery store (Save Mart), hardware store (OSH), hardware store warehouse (OSH building materials pick-up yard), pharmacy/drugstore (Rite Aid) high-turnover restaurant (IHOP), and shopping center (for the remaining restaurant and retail uses).
2. Following the same condensed methodology as the 2008 study assuming only three types of land uses which comprised movie theater (CineLux), warehouse (OSH) and shopping center (for all other retail and restaurant uses).

Shared parking analyses were prepared for a typical Weekday and Saturday using data contained in *Parking Generation 4th Edition* published by the Institute of Transportation Engineers (ITE) and supplemented by data in *Shared Parking 2nd Edition* published by Urban Land Institute (ULI). In some cases data was not available for all land use types, therefore the following assumptions were made regarding the data:

- Parking demand for King's Plaza Shopping Center was calculated based on average demand.
- Shared weekday demand for the movie theater was based on Friday conditions because movie theaters typically have higher parking demand on Fridays during the weekday.
- Trip rates for warehousing (i.e. OSH building materials pick-up yard) are not available for Saturday; therefore, the Saturday demand rates were assumed to be the same as a weekday.
- Time-of-day demand for the OSH building materials pick-up yard was assumed to follow the same time-of-day pattern as Home Improvement Superstore (ITE Land Use 862) instead of traditional warehouse.
- Time-of-day data for pharmacy is incomplete for Saturday; therefore, it was assumed to be the same as weekday.



ANALYSIS

King's Plaza currently comprises 161,085 square feet of gross floor area (GFA) with approximately 134,753 square feet dedicated to retail uses, 11,635 square feet for the CineLux Theaters which hosts 674 seats, and 14,697 square feet for restaurant uses.³

Required parking⁴ is determined based on the parking standards contained in Section 17.51.130 of the Capitola Municipal Code which notes the following:

Retail Uses – 1 space per 300 square feet of gross floor area (GFA)

Theater Use – 1 space per each 3 seats

Restaurant Uses – 1 space per 60 square feet of GFA available for dining, plus 1 space per 300 square feet for all other floor area

Detailed information on the restaurant GFA dedicated to dining was unavailable at the time this memorandum was prepared; therefore, it was estimated to be 60 percent.

Based on the Municipal Code the shopping center would be required to provide approximately the following spaces:

Retail:	134,735 sf x 1 space per 300 sf =	450 spaces
Theater:	674 seats x 1 space per 3 seats =	224 spaces
Restaurant Dining:	14,697 sf x 0.60 x 1 space per 60 sf =	147 spaces
Restaurant Other:	14,697 sf x 0.40 x 1 space per 300 sf =	20 spaces
Total Required (estimated)		841 spaces

The shopping center has 680 parking spaces for employees and customers.⁵ However, the parking requirement per the City Zoning Code does not take

³ Email and attachments from Benjamin Ow to Jim West, 2/14/2014.

⁴ Parking standards provided in Chapter 17.51 except Section 17.51.130(J), (L), (M), and (O) which are replaced per email from Katie Cattan to Frederik Venter, February 13, 2014.

⁵ Email from Benjamin Ow to Jim West, 2/14/2014.



into consideration shared parking principles and time-of-day use as outlined in the ULI Shared Parking guide.

Cursory observations by Kimley-Horn staff (including the most recent on Monday, February 17, 2014) indicate there are ample on-site parking spaces to meet the current needs of King's Plaza.⁶ Observations also suggest that the shopping center's potential demand is similar to the average rates reported in ITE *Parking Generation* of 547 parked vehicles. No exact counts were performed and the current parking demand is thus not known.

The following calculations were prepared to estimate the demand for parking spaces when the Book Café is converted to additional movie theater space.

Separate Land Use Methodology

Shared parking was calculated by segregating land uses into the following categories:

- Movie Theater
- Hardware Store
- Warehouse
- Grocery Store
- Pharmacy/Drugstore
- High-Turnover Sit Down Restaurant
- Shopping Center

The CineLux Theatre most closely matches Movie Theater with Matinee (ITE Land Use 444) which is defined by ITE as a traditional movie theater consisting of audience seating, less than ten screens, a lobby and a refreshment stand. These show movies on weekday afternoons and evenings as well as on weekends.

The OSH store most closely matches Home Improvement Superstore (ITE Land Use 862) which is defined by ITE as facilities that that specialize in

⁶ February 17, 2014 observation made between 8-9 PM which showed a parking demand of 166 vehicles.



the sale of home improvement merchandise and typically maintain long store hours 7 days a week. Examples of items sold in these stores include lumber, tools, paint, lighting, wallpaper and paneling, kitchen and bathroom fixtures, lawn equipment and plant and garden accessories.

The separate OSH building materials pick-up yard most closely matches Warehousing (ITE Land Use 150) which is defined as being primarily devoted to the storage of materials, but they may also include office and maintenance areas.

The Save Mart grocery store can be classified as a Supermarket (ITE Land Use 850) or Discount Supermarket (ITE Land Use 854). Because there is more published data on Supermarket land uses, it was used for the shared parking evaluation. Supermarket is defined by ITE as a retail store selling a complete assortment of food, food preparation and wrapping materials and household cleaning items. Supermarkets may also contain the following products and services: ATMs, automobile supplies, bakeries, books and magazines, dry cleaning, floral arrangements, greeting cards, limited-service banks, photo centers, pharmacies and video rental areas.

The Rite Aid store most closely matches Pharmacy/Drugstore without Drive-Through Window which is defined by ITE as a retail facility that primarily sells prescription and non-prescription drugs. These facilities may also sell cosmetics, toiletries, medications, stationary, personal care products, limited food products and general merchandise.

The IHOP restaurant most closely matches High-Turnover Sit Down Restaurant (ITE Land Use 932) which is defined as a sit-down, full-service eating establishment with turnover rates of approximately one hour or less. This type of restaurant is usually moderately priced and frequently belongs to a restaurant chain. Generally, these restaurants serve lunch and dinner and may also be open for breakfast and are sometimes open 24 hours per day.

The remaining retail and restaurant uses, most closely match Shopping Center (ITE Land Use 820) which is defined as an integrated group of commercial establishments that is planned, developed, owned and managed as a unit. Aside from retail stores shopping centers may also contain



offices, restaurants, post offices, banks, health clubs, movie theaters, and other uses.

Figure 1 and **Figure 2** respectively summarize the shared weekday and weekend average parking demand for King's Plaza. It is noted that the parking demand for the OSH warehouse is very small in comparison to the other uses and therefore is difficult to see in the figure. Calculations using this methodology are attached to this memorandum.

Figure 1 – Average Weekday Parking Demand – Separate Land Use Methodology

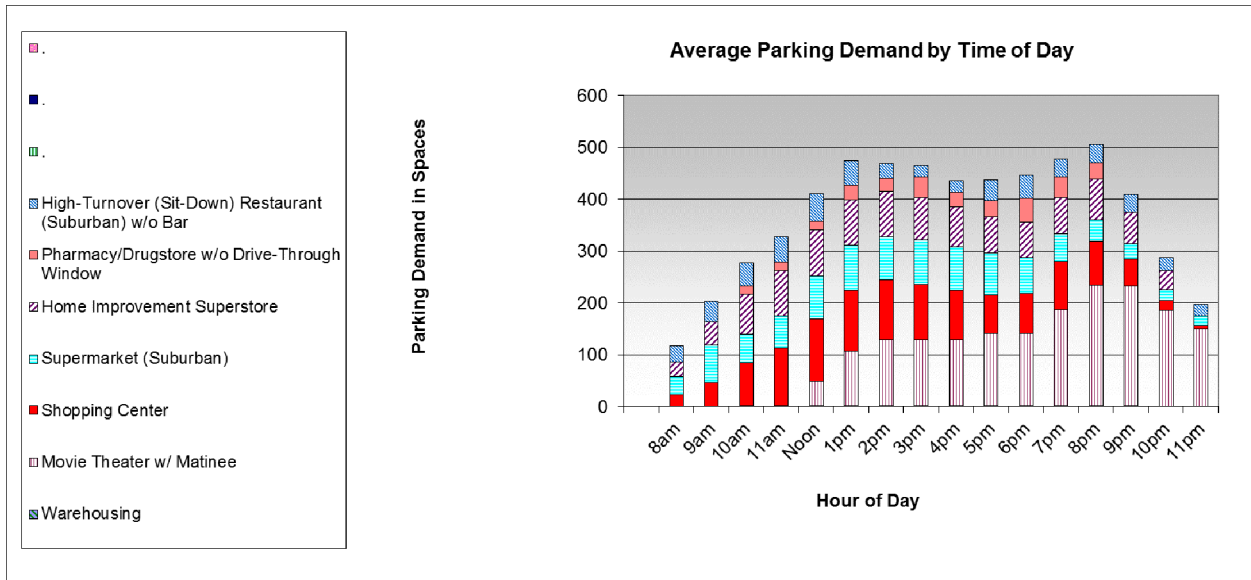
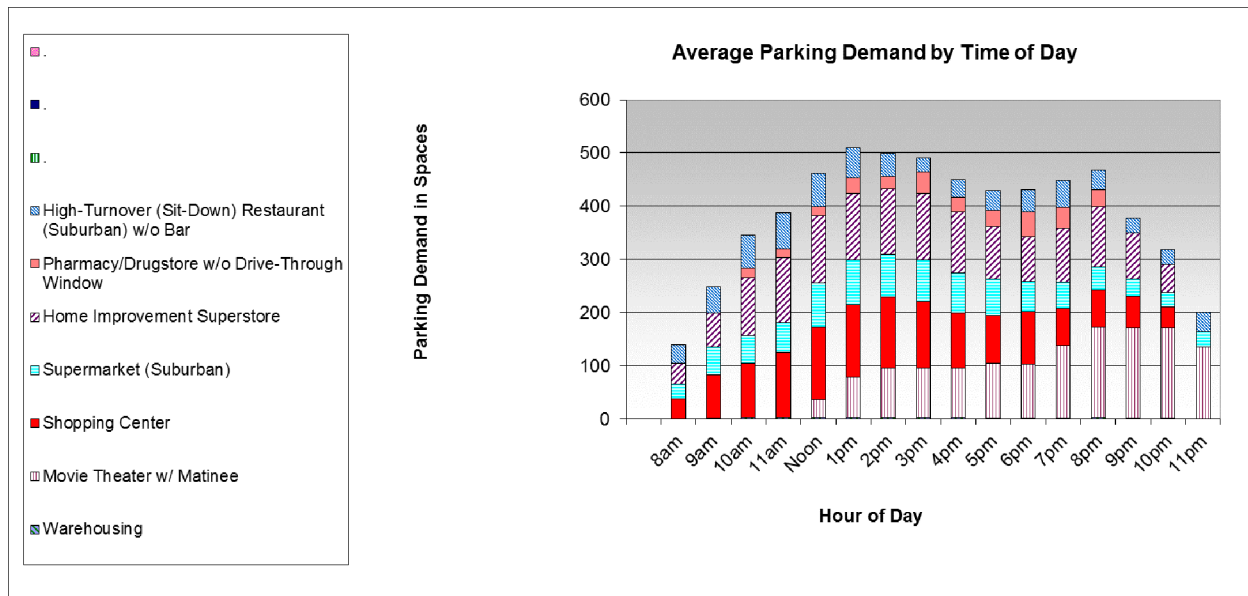




Figure 2 – Average Weekend Parking Demand – Separate Land Use Methodology

As noted in the figures, the parking demand is not expected to exceed more than about 500 occupied parking spaces on a weekday or weekend. In fact, in comparison with the observed demand, the calculated demand appears to be conservative with actual demand being lower.



Condensed Land Use Methodology (from 2008 Study)

Consistent with the 2008 parking study, shared parking demand at King's Plaza was also calculated by condensing the various land uses into the following three categories:

1. Movie Theater
2. Warehouse
3. Shopping Center

As noted previously, the CineLux Theater most closely matches Movie Theater with Matinee (ITE Land Use 444) and the separate OSH building materials pick-up yard most closely matches Warehousing (ITE Land Use 150).

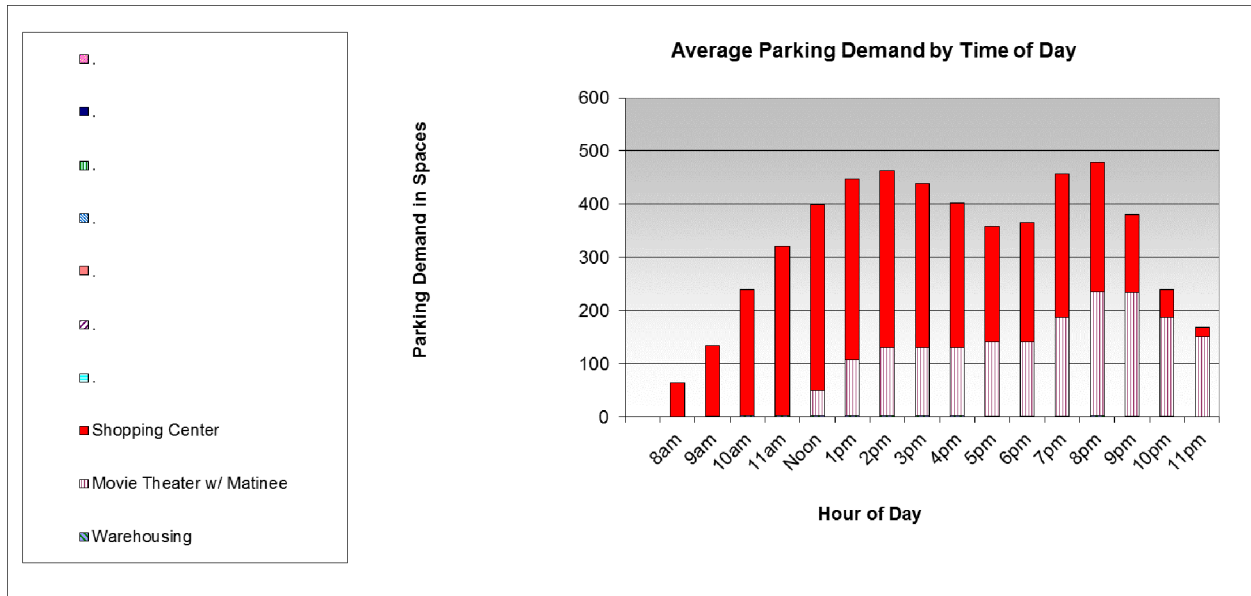


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The remaining retail and restaurant uses, if grouped together, most closely match Shopping Center (ITE Land Use 820). Although the CineLux Theater could be included in the Shopping Center land use, movie theater parking demand was calculated separately from the rest of the shopping center to be consistent with the 2008 parking study.

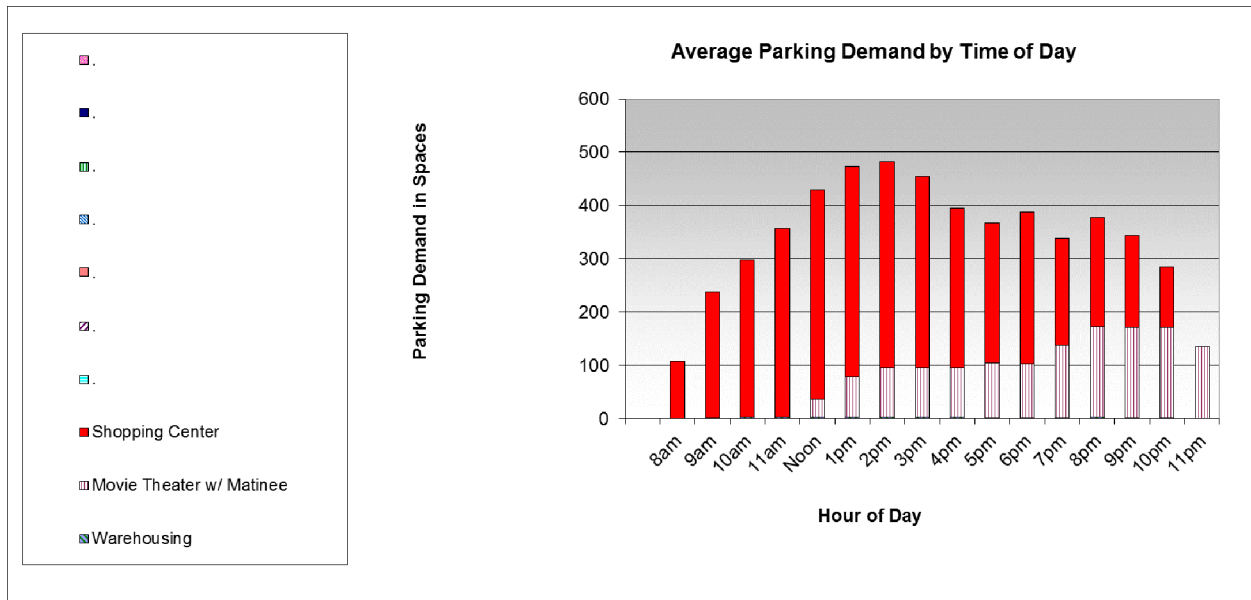
Figure 3 and **Figure 4** respectively summarize the shared weekday and weekend average parking demand for King's Plaza using the condensed land use methodology. Calculations are attached to this memorandum.

Figure 3 – Average Weekday Parking Demand – Condensed (2008) Methodology





**Figure 4 – Average Weekend Parking Demand – Condensed (2008)
Methodology**



Although slightly less than calculated using the Separate Land Use methodology, the Condensed Land Use methodology also indicates that peak parking demand is about 500 on the weekday and the weekend. In comparison with the observed demand, the calculated demand appears to be conservative with actual demand being lower.

85th Percentile Demand

As noted previously, the above calculations are made based on observed average rates reported at other shopping centers.

Shopping center parking demand often fluctuates over the lifespan of the facility. As tenants change and improvements are made, an average performing center may function at a higher level of parking demand. As a check, parking demand was recalculated based on 85th percentile demand rates for weekday and weekend.⁷

⁷ ITE defines the 85th percentile as the point at which 85 percent of the values fall at or below and 15 percent of the values are above. The 85th percentile demand rate therefore corresponds to a high performing land use.



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When calculated using 85th percentile rates the peak parking demand for the weekday is 678 and the peak demand for the weekend is 620. In both instances the existing parking spaces (i.e. 680 spaces) are sufficient to meet an increased 85th percentile demand. Eighty-fifth percentile calculations are attached to this memorandum.

CONCLUSIONS

It is proposed that existing retail space at King's Plaza be eliminated to allow for the existing CineLux Theatre to be expanded from 675 seats to 892 seats.

An evaluation based on data published by the Institute of Transportation Engineers (and supplemented by data from the Urban Land Institute) confirmed that King's Plaza will have sufficient on-site parking spaces under current (i.e. average) conditions and also if demand increases in the future (i.e. at 85th percentile conditions). Therefore, it is Kimley-Horn's professional opinion that parking associated with King's Plaza can be fully contained on site with little risk of spillover into nearby businesses or residential areas.

Parking Generation Planner (ITE Parking Generation, 4th Edition)

Weekday/Weekend Parking Generation
Demand Based on Average Rates

Project Name King's Plaza Shopping Center
Project Number

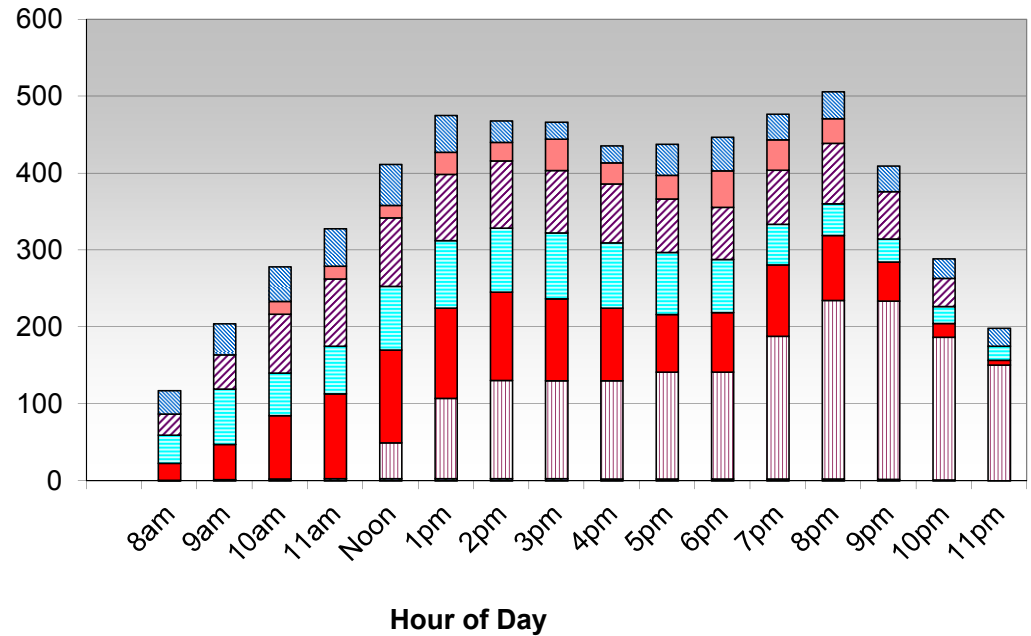


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ITE Code	Land Use Description	Independent Variable	No. of Units	Day of Week	Month	Peak Rates			Peak Demand			Average Parking Demand by Time of Day															
						Avg	33%	85%	Avg	33%	85%	8am	9am	10am	11am	Noon	1pm	2pm	3pm	4pm	5pm	6pm	7pm	8pm	9pm	10pm	11pm
150	Warehousing	1,000 Sq Ft	6.012	Mon-Thu	Avg	0.5	0.3	0.8	3	2	5	1	2	3	3	3	3	3	2	2	2	3	2	1			
444	Movie Theater w/ Matinee	Seat(s)	892	Friday	Avg	0.3	0.2	0.4	232	187	321																
820	Shopping Center	1,000 Sq Ft (GLA)	47.441	Mon-Thu	Avg	2.6	2.2	3.2	121	104	150	22	46	82	110	121	117	115	106	94	75	77	93	85	51	18	6
850a	Supermarket (Suburban)	1,000 Sq Ft	23.2	Mon-Thu	Avg	3.8	3.0	5.1	87.696	69.136	117.16	37	72	55	62	82	88	83	86	85	81	69	53	41	30	22	18
862	Home Improvement Superstore	1,000 Sq Ft	39.957	Mon-Thu	Avg	2.2	1.9	2.8	89.104	73.92	112.68	28	45	77	87	89	86	87	81	77	70	68	70	78	61	37	
880	Pharmacy/Drugstore w/o Drive-Through Window	1,000 Sq Ft	21.44	Mon-Thu	Avg	2.2	1.9	2.7	47.168	40.736	58.317																
932a1	High-Turnover (Sit-Down) Restaurant (Suburban) w/o Bar	1,000 Sq Ft	5	Mon-Thu	Avg	10.6	7.4	16.3	53	37	81.5	30	40	45	49	53	48	28	22	22	40	44	33	35	33	25	23
Totals									633	514	846	117	204	278	328	411	475	468	467	436	438	447	477	506	410	289	199

Parking Demand in Spaces

Average Parking Demand by Time of Day



Item #: 5.B. Attachment B. Parking Study.pdf

Parking Generation Planner (ITE Parking Generation, 4th Edition)

Weekday/Weekend Parking Generation
Demand Based on Average Rates

Project Name King's Plaza Shopping Center
Project Number

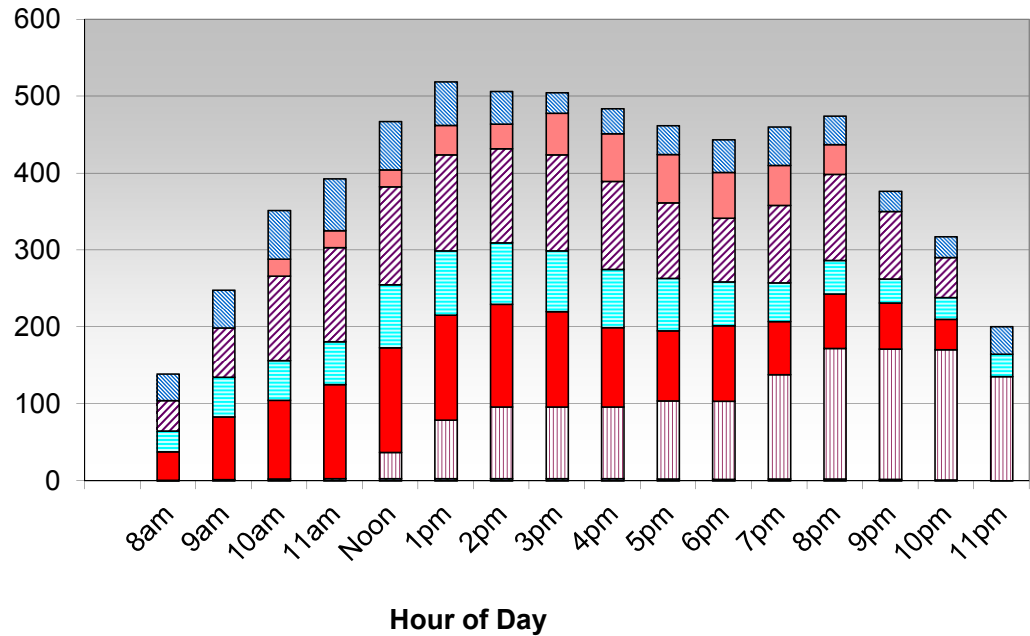


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ITE Code	Land Use Description	Independent Variable	No. of Units	Day of Week	Month	Peak Rates			Peak Demand			Average Parking Demand by Time of Day															
						Avg	33%	85%	Avg	33%	85%	8am	9am	10am	11am	Noon	1pm	2pm	3pm	4pm	5pm	6pm	7pm	8pm	9pm	10pm	11pm
150	Warehousing	1,000 Sq Ft	6.012	Saturday	Avg	0.51	0.29	0.81	3	2	5	1	2	3	3	3	3	3	2	2	2	3	2	1			
444	Movie Theater w/ Matinee	Seat(s)	892	Saturday	Avg	0.19	0.2	0.23	169	178	205				34	76	93	93	93	102	102	136	169	169	136		
820	Shopping Center	1,000 Sq Ft (GLA)	47.441	Saturday	Avg	2.87	2.46	3.4	136	117	161	37	82	102	123	136	133	124	103	91	98	69	71	60	39		
850a	Supermarket (Suburban)	1,000 Sq Ft	23.2	Saturday	Avg	3.92	3.25	4.94	90.944	75.4	114.61	27	52	52	55	82	84	80	79	75	68	57	50	44	31	28	29
862	Home Improvement Superstore	1,000 Sq Ft	39.957	Saturday	Avg	3.19	2.79	4.34	127.46	111.48	173.41	40	64	110	122	127	125	122	125	115	98	83	101	112	88	52	
880	Pharmacy/Drugstore w/o Drive-Through Window	1,000 Sq Ft	21.44	Saturday	Avg	2.94	2.53	3.74	63.034	54.243	80.186			22	22	38	32	54	62	63	59	52	38				
932a1	High-Turnover (Sit-Down) Restaurant (Suburban) w/o Bar	1,000 Sq Ft	5	Saturday	Avg	13.5	7.8	20.6	67.5	39	103	34	49	63	68	63	57	43	26	32	37	43	50	37	26	27	36
Totals									658	577	843	139	248	352	393	467	519	507	505	484	462	444	460	474	377	318	200

Parking Demand in Spaces

Average Parking Demand by Time of Day



Parking Generation Planner (ITE Parking Generation, 4th Edition)

Weekday/Weekend Parking Generation
Demand Based on Average Rates

Project Name King's Plaza Shopping Center
Project Number

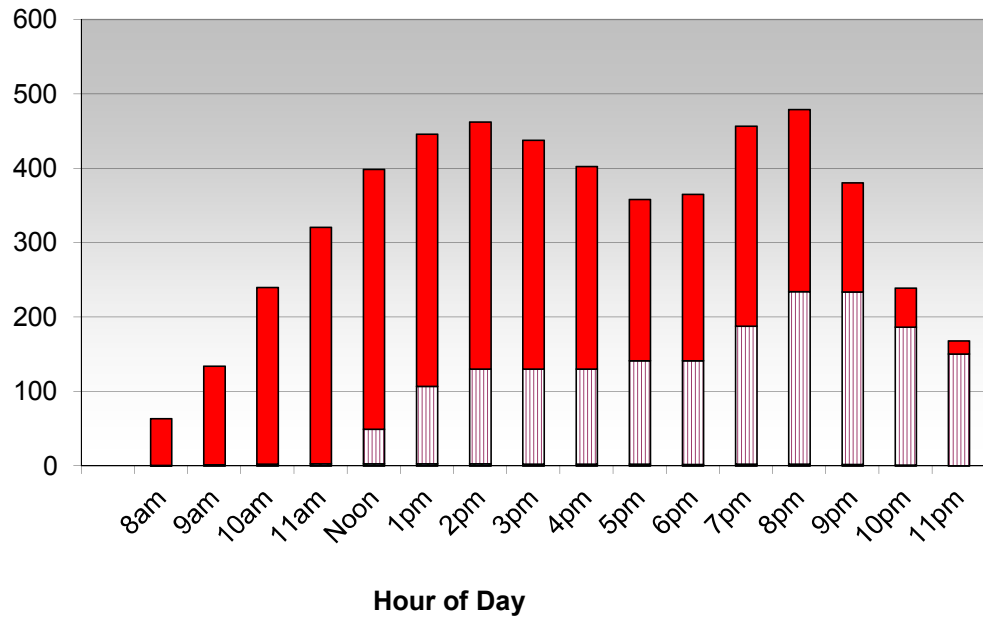


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ITE Code	Land Use Description	Independent Variable	No. of Units	Day of Week	Month	Peak Rates			Peak Demand			Average Parking Demand by Time of Day															
						Avg	33%	85%	Avg	33%	85%	8am	9am	10am	11am	Noon	1pm	2pm	3pm	4pm	5pm	6pm	7pm	8pm	9pm	10pm	11pm
150	Warehousing	1,000 Sq Ft	6,012	Mon-Thu	Avg	0.51	0.29	0.81	3	2	5	1	2	3	3	3	3	3	3	2	2	2	3	2	1		
444	Movie Theater w/ Matinee	Seat(s)	892	Friday	Avg	0.26	0.21	0.36	232	187	321				46	104	128	128	139	139	186	232	232	186	151		
820	Shopping Center	1,000 Sq Ft (GLA)	137.04	Mon-Thu	Avg	2.55	2.2	3.16	349	301	433	63	133	238	318	349	339	332	308	273	217	224	269	245	147	52	17
Totals									584	491	759	64	134	240	321	399	446	463	438	403	358	365	457	479	381	239	168

Parking Demand in Spaces

Average Parking Demand by Time of Day



Parking Generation Planner (ITE Parking Generation, 4th Edition)

Weekday/Weekend Parking Generation
Demand Based on Average Rates

Project Name **King's Plaza Shopping Center**
Project Number

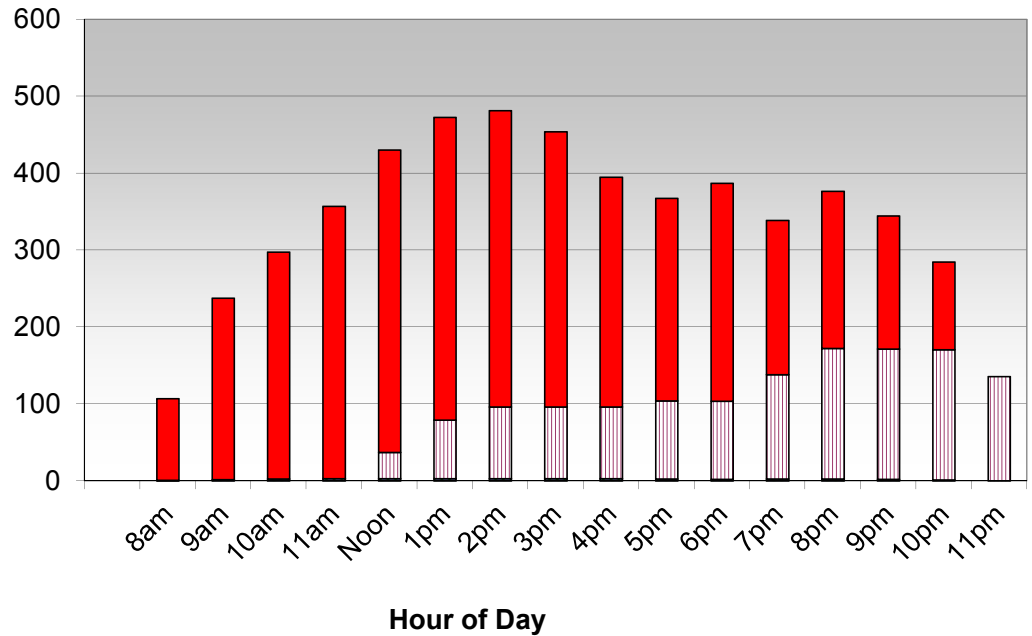


Kimley-Horn
and Associates, Inc

ITE Code	Land Use Description	Independent Variable	No. of Units	Day of Week	Month	Peak Rates			Peak Demand			Average Parking Demand by Time of Day															
						Avg	33%	85%	Avg	33%	85%	8am	9am	10am	11am	Noon	1pm	2pm	3pm	4pm	5pm	6pm	7pm	8pm	9pm	10pm	11pm
150	Warehousing	1,000 Sq Ft	6.012	Saturday	Avg	0.51	0.29	0.81	3	2	5	1	2	3	3	3	3	3	3	2	2	2	3	2	1		
444	Movie Theater w/ Matinee	Seat(s)	892	Saturday	Avg	0.19	0.2	0.23	169	178	205				34	76	93	93	93	102	102	136	169	169	136		
820	Shopping Center	1,000 Sq Ft (GLA)	137.04	Saturday	Avg	2.87	2.46	3.4	393	337	466	106	236	295	354	393	393	385	358	299	264	283	201	205	173	114	
Totals									566	517	676	107	238	298	357	430	473	482	454	395	368	387	339	377	345	285	136

Parking Demand in Spaces

Average Parking Demand by Time of Day



Parking Generation Planner (ITE Parking Generation, 4th Edition)



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and Associates, Inc

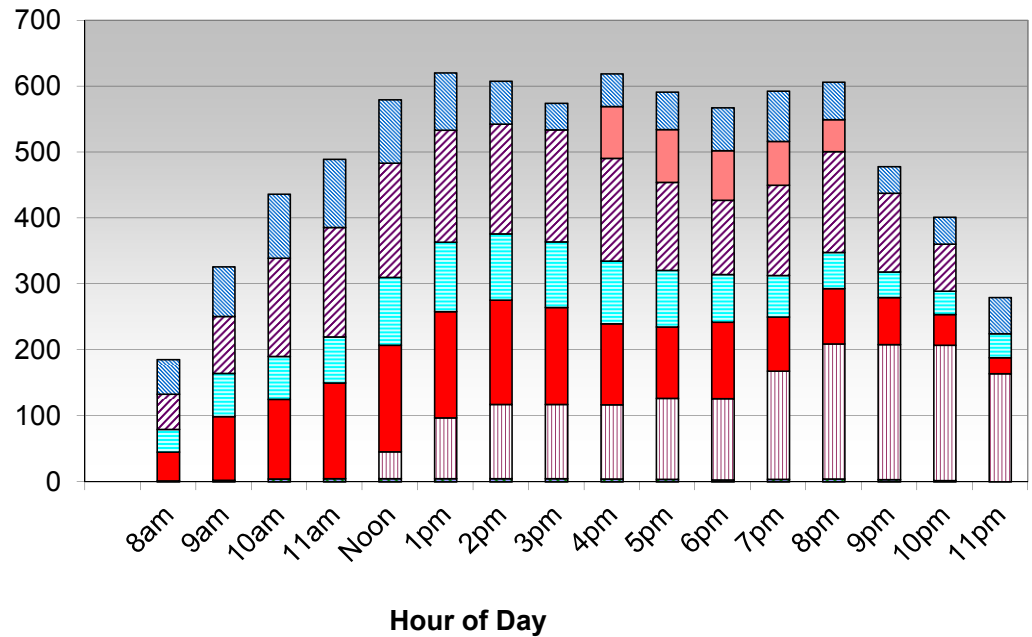
Weekday/Weekend Parking Generation
Demand Based on 85th Percentile Rates

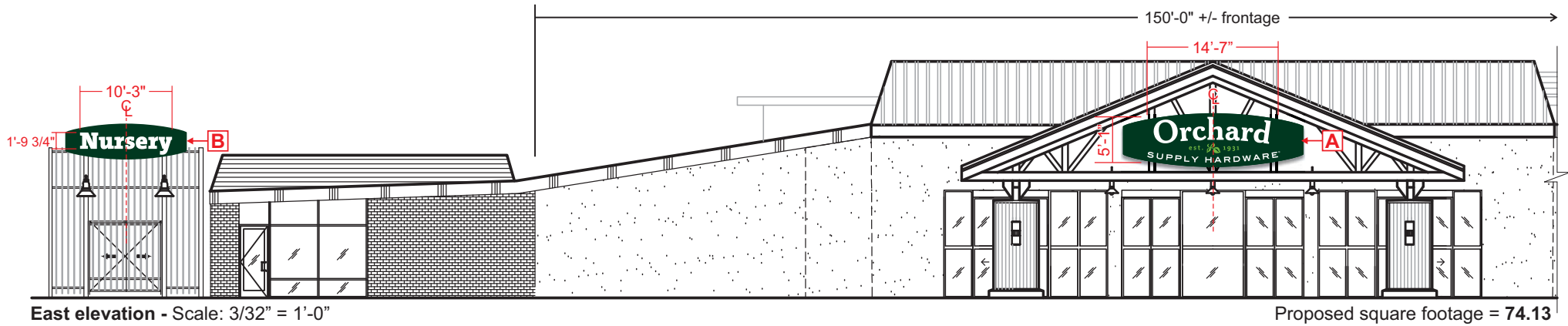
Project Name
Project Number

ITE Code	Land Use Description	Independent Variable	No. of Units	Day of Week	Month	Peak Rates			Peak Demand			85th Percentile Parking Demand by Time of Day															
						Avg	33%	85%	Avg	33%	85%	8am	9am	10am	11am	Noon	1pm	2pm	3pm	4pm	5pm	6pm	7pm	8pm	9pm	10pm	11pm
150	Warehousing	1,000 Sq Ft	6.012	Saturday	Avg	0.51	0.29	0.81	3	2	5	2	2	4	5	5	5	5	4	4	3	4	4	3	2		
444	Movie Theater w/ Matinee	Seat(s)	892	Saturday	Avg	0.19	0.20	0.23	169	178	205					41	92	113	113	113	123	123	164	205	205	164	
820	Shopping Center	1,000 Sq Ft (GLA)	47.441	Saturday	Avg	2.87	2.46	3.40	136	117	161	44	97	121	145	161	161	158	147	123	108	116	82	84	71	47	24
850a	Supermarket (Suburban)	1,000 Sq Ft	23.2	Saturday	Avg	3.92	3.25	4.94	91	75	115	34	65	65	70	103	105	101	100	95	86	72	63	55	39	36	37
862	Home Improvement Superstore	1,000 Sq Ft	39.957	Saturday	Avg	3.19	2.79	4.34	127	111	173	54	87	149	166	173	170	166	170	156	134	113	137	153	120	71	
880	Pharmacy/Drugstore w/o Drive-Through Window	1,000 Sq Ft	21.44	Saturday	Avg	2.94	2.53	3.74	63	54	80								79	80	75	67	49				
932a1	High-Turnover (Sit-Down) Restaurant (Suburban) w/o Bar	1,000 Sq Ft	5	Saturday	Avg	13.5	7.8	20.6	67.5	39	103	53	75	97	103	96	87	65	40	49	57	65	76	57	40	41	55
Totals									658	577	843	186	326	436	489	580	620	608	574	619	591	568	593	606	478	402	280

Parking Demand in Spaces

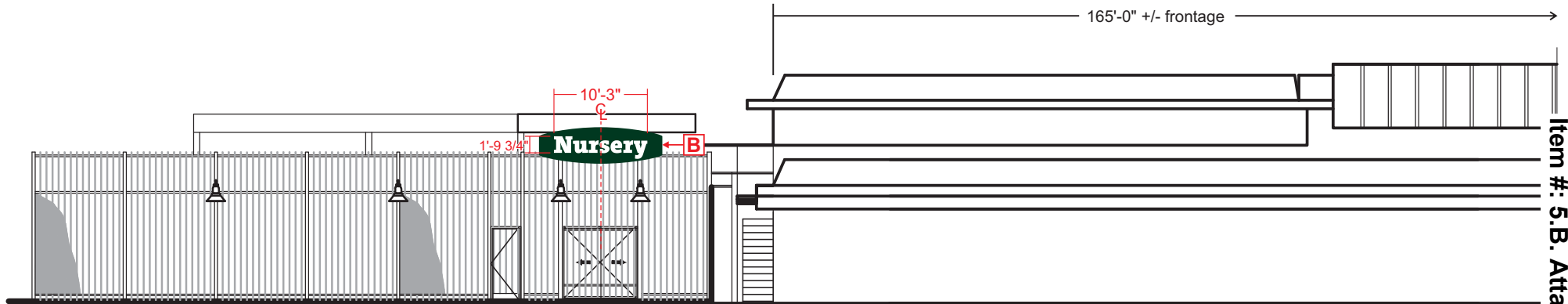
85th Percentile Parking Demand by Time of Day





East elevation - Scale: 3/32" = 1'-0"

Proposed square footage = 74.13



South elevation - Scale: 3/32" = 1'-0"

Item #: 5.B. Attachment C. Sign Plan.pdf

ADART 2670 W. SHAW LANE/SUITE 102
 FRESNO, CA 93711
 T 559.225.2183
 T 559.225.2186
 www.adart.com

CA STATE CONTRACTORS LICENSE #826051

PROJECT:	
CUSTOMER: Orchard Supply Hardware	
LOCATION: 1601 41st Street - Capitola, CA	
DATE: 5/12/2015	
SALES: David Esajian	
DESIGNER: James Franks	

REVISION	DATE	DESCRIPTION

APPROVALS
SALES:
CUSTOMER:
LANDLORD:

CONCEPTUAL DRAWINGS ONLY:
 Dimensions are approximate. It may change due to construction factors or exact field conditions. Colors shown are as close as printing will allow. Always follow written specifications.
ALL RIGHTS RESERVED:
 This design has been created for you in connection with a project being planned for you by AD ART. It may not be shown to anyone outside your organization, and may not be reproduced in any manner without prior consent.

SHEET
1 of
JOB #15



A TRADEMARK SKATEBOARD SPECIFICATIONS Scale: 1/4" = 1'-0"
 Manufacture and install one (1) 6'-0" OAH trademark skateboard sign

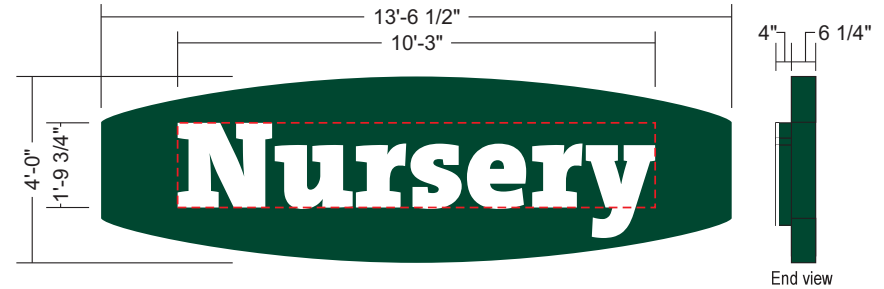
Description	Specification/Material	Finish	Color
Skateboard	.125" Aluminum	Painted (satin)	PMS 3435 C
Face	.125" Aluminum w/ rout out copy	Painted (satin)	PMS 3435 C
Copy "Supply Hardware"	R/o 1/2" push thru copy with vinyl applied 1st surface	3M	White #3630-20
Copy "est. 1931"	R/o acrylic backed copy with vinyl applied 1st surface	3M	Bright Green #3630-106
Back	.125 Aluminum	Painted (satin)	PMS 3435 C
Illumination	LED		White
®	Vinyl	3M	White 7725-10

NOTE:
 * Back of sign to be finished as it will be visible.

CHANNEL LETTER SPECIFICATIONS

Manufacture and install one set of channel letters to be mounted on non-illuminated trademark skateboard.

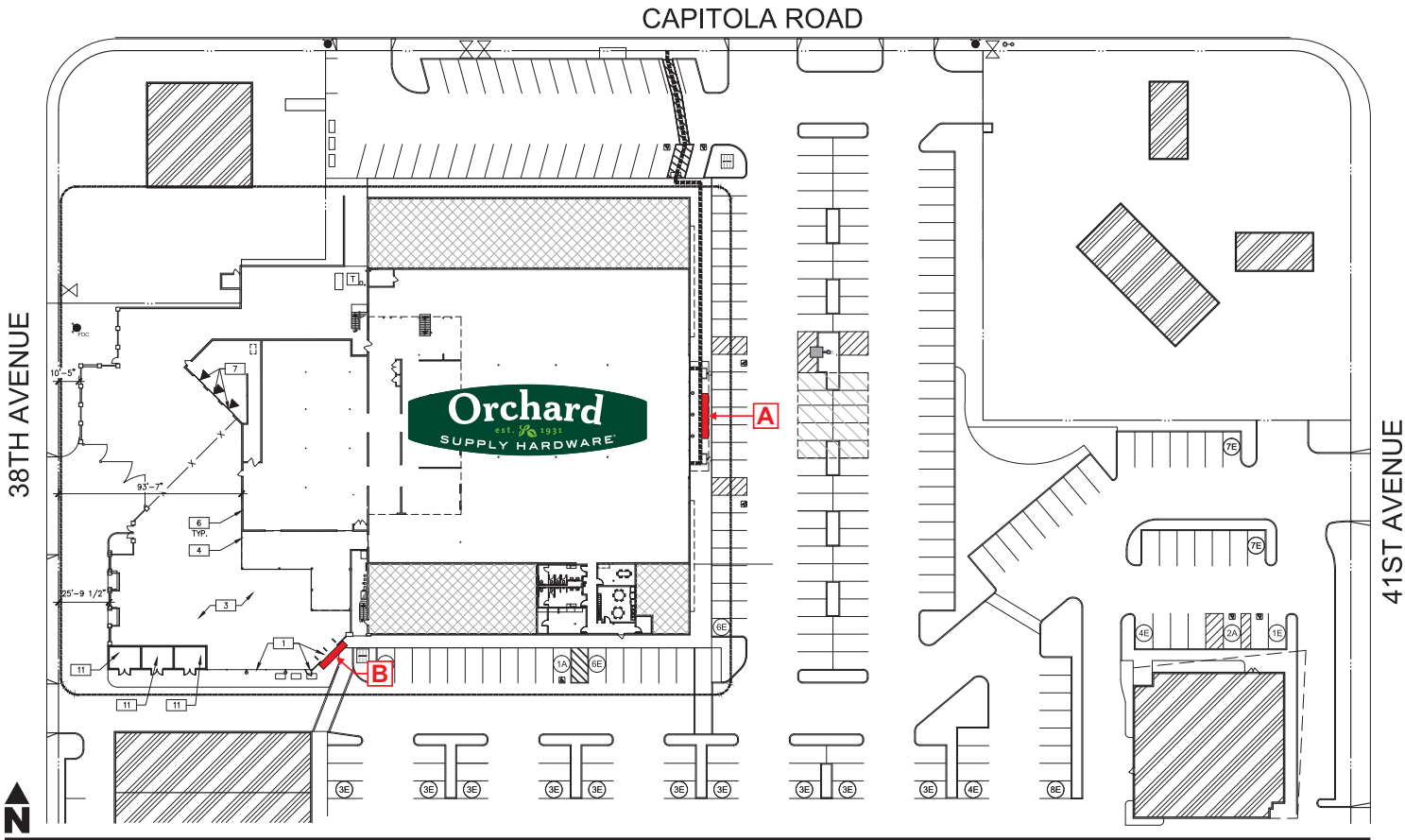
Description	Specification/Material	Finish	Color
Face	Acrylic	R & H	White
Returns	.063 aluminum	Painted (satin)	PMS 3435 C
Trimcap	3/4" trimcap	Painted (satin)	White
Illumination	LED		White



B NURSERY LETTER SPECIFICATIONS Scale: 3/8" = 1'-0"
 Manufacture and install one (1) set of internally-illuminated channel letters on non-illuminated trademark skateboard.

Description	Specification/Material	Finish	Color
Face	.125" Aluminum	Painted (satin)	PMS 3435 C
Cabinet	.125" Aluminum	Painted (satin)	PMS 3435 C
Back	.125" Aluminum	Painted (satin)	PMS 3435 C
Face	White acrylic	N/A	White
Returns	.063 aluminum	Painted (satin)	PMS 3435 C
Trimcap	3/4" trimcap	Painted (satin)	White
Illumination	LED		White

NOTE: Back of sign to be finished as it will be visible.



Site plan - Scale: NTS



Site plan - Scale: NTS

ADART 2670 W. SHAW LANE/SUITE 102
 FRESNO, CA 93711
 T 559.225.2183
 T 559.225.2186
 CA STATE CONTRACTORS LICENSE #826051 www.adart.com

PROJECT:	Orchard Supply Hardware
CUSTOMER:	Orchard Supply Hardware
LOCATION:	1601 41st Street - Capitola, CA
DATE:	5/12/2015
SALES:	David Esajian
DESIGNER:	James Franks

REVISION	DATE	DESCRIPTION

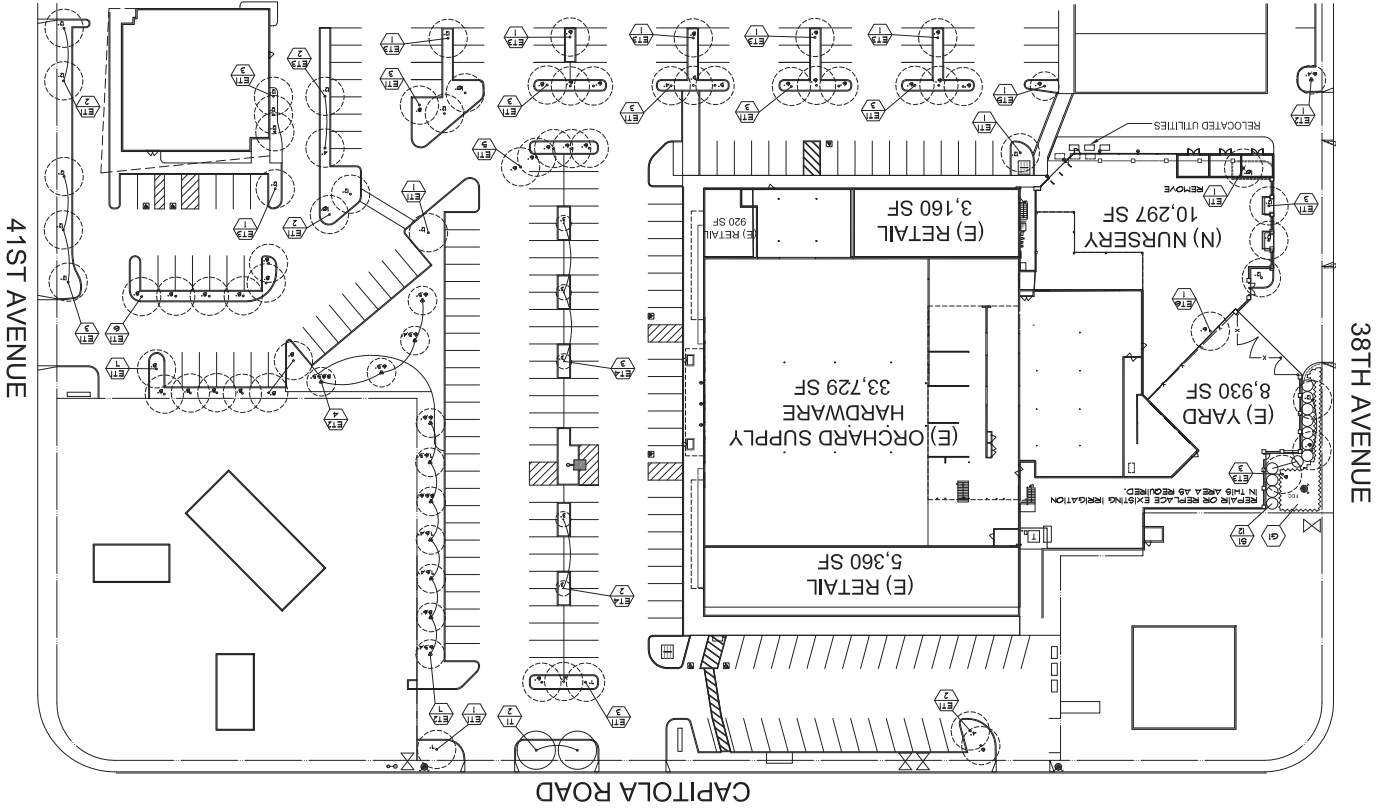
APPROVALS
SALES:
CUSTOMER:
LANDLORD:

CONCEPTUAL DRAWINGS ONLY:
 Dimensions are approximate & may change due to construction factors or exact field conditions. Colors shown are as close as printing will allow. Always follow written specifications.
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SHEET
3 of
JOB #15

Item #: 5.B. Attachment C. Sign Plan.pdf

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EXISTING TREE LEGEND

KEY BOTANICAL/COMMON NAME

ET1 PRUNUS CALLENTIANA YARD - PLOUMERS PEAR

ET2 OLIVE BURNING - OLIVE PLUM

ET3 PLATANUS ADERFOLIA YARD - LONDON PLANE TREE

ET4 RHAPHANIS INDICA YARD - INDIA HAWTHORN STANARDS

ET5 POCOENARIS GRACILIOR - PERIN PINE

ET6 FRAXINUS SPP. - ASH

ET7 INDICATES TREE QUANTITY

- NOTES**
1. ALL EXISTING TREES ARE IN FAIR TO GOOD CONDITION.
 2. TRUNK CALIPER SHOWN DIAMETER AT 4.5' HEIGHT.
 3. ALL EXISTING TREES ARE TO BE PRESERVED, EXCEPT ONE AS NOTED NEAR THE SOUTHWEST CORNER AS SHOWN WHICH IS TO BE REMOVED.

PROPOSED PLANT LEGEND

KEY BOTANICAL/COMMON NAME

T1 TREES - PRUNUS C. REALTER VEGALIVS - PURPLE LEAF PLUM

T2 HIGH BRANCHING - MITIGATION REPLACEMENT TREES FOR REMOVED TREE

S1 SHRUBS - ACTINOPTAPHYLLOS D. HOWARD PERENN - MANZANITA

G1 GROUNDCOVERS - CORPORA X KIRKII - M.C.N.

ET8 INDICATES PLANT QUANTITY

- NOTES**
1. ALL EXISTING LANDSCAPE SHRUBS AND GROUND COVERS - NOT SHOWN - ARE TO REMAIN.
 2. PLACE A 2" LAYER OF WALK-ON BARK MULCH IN ALL LANDSCAPE AREAS.

SHEET
L1.0

JOB NO.: SM14-0020-00
DRAWN BY: CR
PA / PK: A.C./M.D.

LANDSCAPE PLAN

DATE	REVISIONS
02/21/2015	PLANNING

Orchard
REPLANT NURSERY

1601 41ST AVENUE
CAPITOLA, CA 95010

WILSON & ASSOCIATES
LANDSCAPE ARCHITECTS

10055 Santa Monica Blvd, Ste. 120
Santa Monica, CA 90404
P: 310.661.1000
F: 310.661.1005

WARE MALCOMB
Landscape Design for Commercial Real Estate

CAUTION: IF THIS SHEET IS NOT 24"x36" IT IS A REDUCED PRINT

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STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: JUNE 4, 2015

SUBJECT: **809 Bay Ave** **#15-074** **APN: 035-021-43**

Design Permit and Conditional Use Permit for a private outdoor seating area and on-site sale and consumption of beer and wine for Nob Hill, located in the CC (Community Commercial) Zoning District.

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

Environmental Determination: Categorical Exemption

Property Owner: Raley's Inc.

Representative: Michael Gates, filed: 4/22/15

APPLICANT PROPOSAL

The applicant has submitted plans to construct an outdoor dining area in front of the existing Nob Hill grocery store located at 809 Bay Avenue. The dining area was previously approved by the Planning Commission in 2004 as an "outside quasi-public seating area", but never built. Nob Hill is applying for a beer and wine license (no hard liquor) for the vacant outdoor dining area and small indoor dining space. The outdoor dining area is proposed to be a private seating area that is only accessible to Nob Hill customers, and thus not quasi-public. The outdoor dining area will contain 40 seats, a speaker system, portable stage, and TV. The proposed private outdoor eating area requires a Design Permit for the modification to an existing Conditional Use Permit (CUP) and Design Permit, as well as a CUP for the sale of beer and wine. Nob Hill is currently working on an interior remodel to the grocery store; they have a Building Permit for the interior work which does not need Planning Commission approval.

BACKGROUND

On May 13th, 2015, the Architectural and Site Review Committee reviewed the application.

- City Architect Representative, Frank Phanton, thought the project was well designed and would be a good use of vacant space.
- City Building Official, Brian Van Son, cautioned the applicant to ensure that the access ways meet ADA standards.
- City Public Works representative, Danielle Uharriet, had no concerns.
- City Planner, Ryan Safty, informed the applicant that any amplified noise activity would require an Entertainment Permit from the Police Department and asked that the applicant provide a Landscape Plan for the proposal.
- City Landscape Architect Representative, Craig Walsh, asked the applicant to submit a Landscape Plan showing existing trees.

Following the Architectural and Site Review meeting, the applicant submitted a Landscape Plan showing the existing trees and plants on site. There will be no addition or removal of landscaping.

DISCUSSION

Nob Hill is a grocery store chain with a branch located in the Capitola Center retail area. The applicant is proposing to create a 1,561 square foot outdoor private dining area on the northeast-side of the subject property, adjacent to Nob Hill’s northeastern entrance. (Attachment A) The CUP is to allow Nob Hill to serve beer and wine to customers both in the small indoor dining section (old Peet’s Coffee) and in the proposed new outdoor seating area.

Nob Hill is in the process of obtaining a building permit for interior work. Nob Hill plans to remodel and refurbish much of the interior space, including turning the café area into a tap room. No exterior modifications are allowed within the building permit.

The subject property is located at the north end of Bay Avenue, adjacent to the Soquel Creek corridor. The entire Capitola Center is zoned CC (Community Commercial). The properties to the south are zoned R-1 (Single-Family Residential), and across Bay Avenue to the east of Nob Hill are commercial and office uses and a multi-family residential (RM-M) senior housing facility.

Design Permit

A modification to an existing CUP and Design Permit requires a Design Permit and Architectural and Site Review. (§17.63.030) In order to change the previously approved quasi-public seating area into a private dining area, the applicant must obtain approval from the Planning Commission.

Conditional Use Permit

The applicant is requesting approval of a CUP to allow on-site consumption of beer and wine in the outdoor seating and indoor dining areas. In considering an application for a CUP, the Planning Commission must give due regard to the nature and condition of all adjacent uses and structures. The municipal code lists additional requirements and review criteria for some uses within the CUP consideration (§17.60.030). In issuing the CUP, the Planning Commission may impose requirements and conditions with respect to location, design, siting, maintenance and operation of the use as may be necessary for the protection of the adjacent properties and in the public interest.

The breakdown of tenant use and size within the Capitola Center is as follows:

SUITE #	BUSINESS NAME	USE	SQUARE FEET
809 - A	CVS	retail	14,940
809 - B	Nob Hill (applicant)	retail	34,804
809 - C	Classic Cleaners	retail	554
809 - D	Stewart Title	office	2,203
809 - E	Vacant	retail or office	709
809 - H	Capitola Self Storage	storage/warehouse	34,302
815 - A & B	PAMF (Sleep Center)	office	9,223
819 - A	Peet's Coffee	retail/bakery	1,944
819 - B	Edward Jones	office	891
819 - C	Village Host Pizza	restaurant	1,152
819 - D	Santa Cruz County Bank	office	1,409

****This table does not include the recycle center in the parking lot***

Nob Hill is proposing to operate the outdoor dining area under the same hours as the grocery store: 6:00am–11:00pm, 7 days a week (Attachment B). The outdoor seating area contains a portable stage in the center, with a TV located above. Nob Hill is proposing to place speakers around the outdoor seating area, creating a surround-sound system. The applicant would like to have live, amplified acoustic music, limited to the afternoons and weekends. The live music will have a maximum of two performers. On weekdays, Nob Hill would like to have music from 3:00pm – 9:00 pm, and on weekends 10:00am – 9:00 pm. An Entertainment Permit would need to be obtained from the Police Department prior to operating the stage area or having live performers (Condition #4).

The outdoor dining area is enclosed by a three foot tall metal gate. There are two proposed exterior openings in the gate (on the eastern and western edges) that contain latches and self-closing hinges to ensure the gate remains shut. Inside the 1,561 square foot outdoor dining area is a total of 14 proposed tables and 40 chairs (Attachment A).

Parking

Pursuant to the Capitola Municipal Code, the 1,561 square foot outdoor dining area requires one parking space for every 60 square feet (26 spaces). In total, the shopping center is required to have 298 parking spaces. The Capitola Center contains a total of 434 parking spaces for its tenants. Accordingly, adequate parking is available to accommodate the additional demand created by the proposed outdoor dining area.

Project Issues

Planning staff and the Police Department have concerns with the proposed hours of operation and the applicant's request to allow live, amplified entertainment in the outdoor dining area. Although the proposed dining area is located within an existing commercial shopping center, the site is proximate to a senior living facility, a sleep center, and single-family residences which could be adversely impacted by noise generated by the proposed project. As proposed, the dining area could host nightly outdoor entertainment seven nights a week for 40 or more patrons.

Staff therefore recommends the Planning Commission limit the hours of operation to 8:00am – 9:00pm Sunday-Thursday and 8:00am – 11:00pm on Friday and Saturday. Additionally, staff recommends the Planning Commission limit entertainment to acoustic music only (subject to entertainment permit conditions as determined necessary by the Police Department) and add a condition to prohibit outdoor amplified entertainment.

CEQA

This project is categorically exempt under Section 15301 of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations. The proposed project involves an existing grocery store adding an outdoor dining area with on-site sale and consumption of beer and wine. No adverse environmental impacts were discovered during project review by either the Planning Department Staff or the Planning Commission.

RECOMMENDATION

Staff recommends the Planning Commission **approve** application #15-074, minus the outdoor stage and live music proposal, subject to the following conditions and based upon the following findings:

CONDITIONS

1. The project approval consists of a Conditional Use Permit to allow beer and wine sales and Design Permit to construct and operate an outdoor dining area at 809 Bay Avenue. The proposed project is approved as indicated on the final plans reviewed and approved by the

Item #: 5.C. Staff report 809 Bay Ave Nob Hill.pdf

Planning Commission on June 4, 2015, except as modified through conditions imposed by the Planning Commission during the hearing.

2. The establishment must maintain a valid license from the Alcohol Beverage Control. A copy of the approved Department of Alcoholic Beverage Control Permit must be filed with the Community Development Department prior to initiating beer and wine sales.
3. The applicant was granted a Conditional Use Permit to allow the serving of beer and wine and construction and operation of an outdoor seating area. In any case where the conditions of the permit have not been or are not complied with, the community development director shall give notice thereof to the permittee, which notice shall specify a reasonable period of time within which to perform said conditions and correct said violation. If the permittee fails to comply with said conditions, or to correct said violation, within the time allowed, notice shall be given to the permittee of intention to revoke such permit at a hearing to be held not less than thirty calendar days after the date of such notice. Following such hearing and, if good cause exists therefore, the Planning Commission may revoke the permit.
4. No amplified entertainment is approved within this permit (#15-074). An Entertainment Permit is required for any live entertainment that is audible outside of the structure. An Entertainment Permit may be applied for through the Capitola Police Department.
5. Patrons shall not be allowed to leave with open alcoholic beverage containers.
6. Permits are non-transferrable.
7. The establishment must maintain a valid license from the Alcohol Beverage Control.
8. The applicant is responsible for maintaining the area directly in front of the business free from litter and/or graffiti.
9. Operational hours of the outdoor dining area are limited to 8:00am – 9:00pm on weekdays, and 8:00am – 11:00pm on weekends.
10. The applicant shall receive permission from ABC to serve alcoholic beverages prior to June 4, 2017. The conditional use permit will expire in the case where the conditional use permit has not been used within two years after the date of granting thereof. Any interruption or cessation beyond the control of the property owner shall not result in the termination of such right or privilege. A permit shall be deemed to have been “used” when actual substantial, continuous activity has taken place upon the land pursuant to the permit.
11. 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.
12. The applicant is required to complete and follow the Responsible Beverage Service (RBS) practices and procedures. Employees who serve alcoholic beverages are required to attend and complete L.E.A.D.S. training offered by the Capitola Police Department.
13. 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.

14. 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).
15. 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.
16. Prior to issuance of building permit, all Planning fees associated with permit #15-074 shall be paid in full.
17. 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.
18. 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.
19. 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).
20. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
21. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official.
§9.12.010B
22. Prior to a project final, all cracked or broken driveway approaches, curb, gutter, or sidewalk shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.
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. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
24. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.

FINDINGS

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

Community Development Department Staff and the Planning Commission have reviewed the application and determined that the proposed business may be granted a conditional use permit for the sale of alcohol and dining area within the CC Zoning District. The use meets the intent and purpose of the Community Commercial Zoning District. Conditions of approval have been included to ensure that the use is consistent with the Zoning Ordinance and General Plan.

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

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

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

The proposed project involves an existing retail area with the additional use of beer and wine sales and a dining area. No adverse environmental impacts were discovered during project review by either the Planning Department Staff or the Planning Commission.

ATTACHMENTS

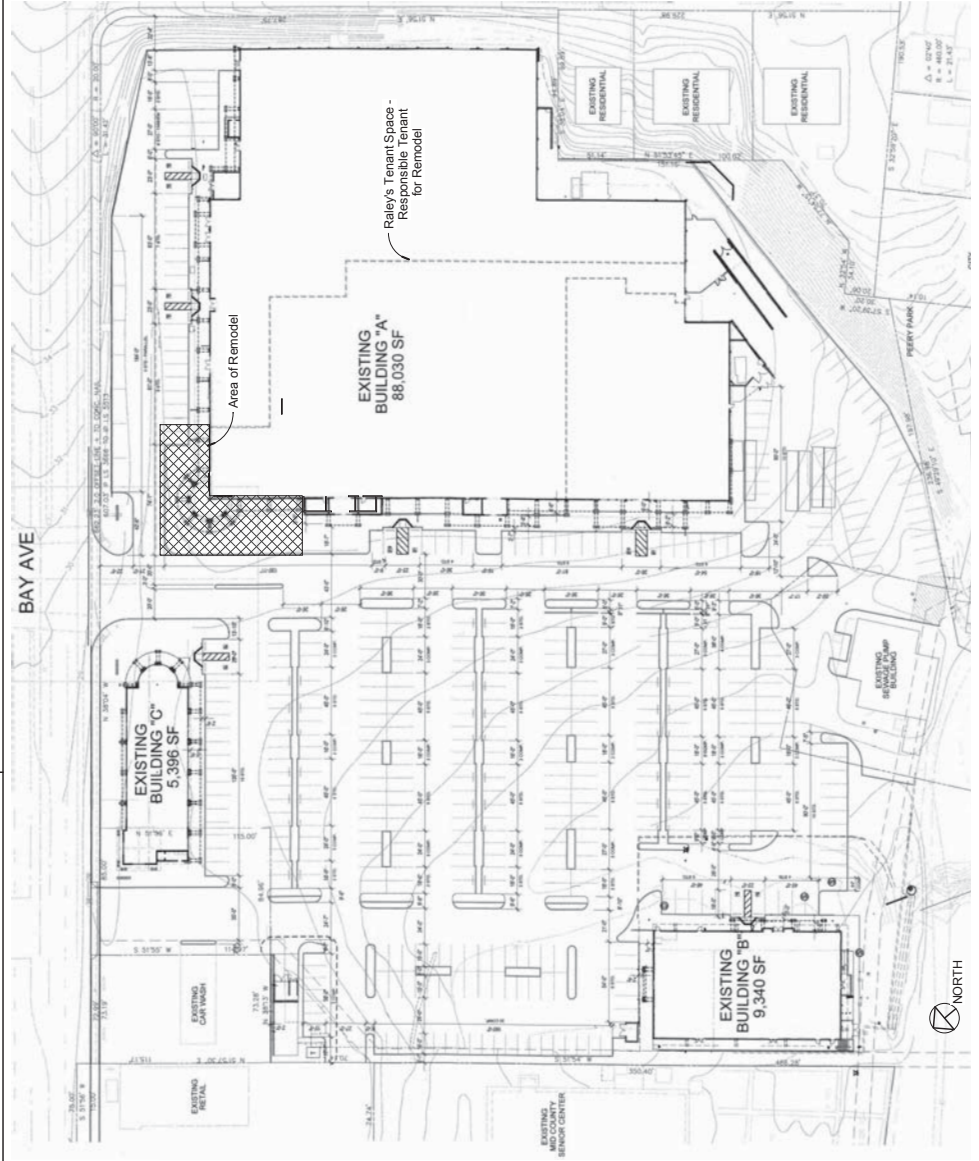
- A) Project Plans
- B) Management Plan

**Report Prepared By: Ryan Safty
Assistant Planner**

EXTERIOR REMODEL PROJECT

NOB HILL FOODS #615

809 Bay Street
Capitola, CA



Site Plan - Planning Submittal
1" = 40' 0"

CONTACT LIST	
BUILDING	ARCHITECTURAL
T1 Title Sheet - Site Plan - Summary	
A1.1 Exterior Patio Work Plans	
A1.2 Exterior Patio Details - Photos	
L1.1 Existing Planting Plan	
ELECTRICAL	
E1 General Notes, Symbols, Lists	
E2 Exterior Patio Plan - Electrical	

REVISIONS	
No.	Description

SCOPE OF WORK	
MECHANICAL	<p>Remove Exterior of Grocery Store per the following detailed scope and quantities. See notes for details. All work to be completed in accordance with the 2013 California Building Code, Mechanical Code, and all applicable codes and standards. All work requires an air permit in order to meet code requirements.</p> <p>MECHANICAL:</p> <ol style="list-style-type: none"> Install New Exterior Packaged Air Conditioning Unit with 24" Condensate Drain. Install New Exhaust System (By Owner) with 24" Condensate Drain. Install New Paralle Sound Ducting (By Owner) Install New Paralle Sound Ducting (By Owner) <p>MECHANICAL:</p> <ol style="list-style-type: none"> 1. 100% RFI required.
ELECTRICAL	<p>Remove Existing Electrical Equipment to be replaced with New Existing Equipment.</p>

PROJECT SUMMARY	
ASSESSOR'S PARCEL NUMBER: 035-031-043	
CONSTRUCTION TYPE: TYPE V.B. NON-HABITED, FULLY SPRINKLERED	
TOTAL TENANT AREA: 38,693 SQ. FT.	
CODES USED: 2013 CALIFORNIA BUILDING CODE, 2013 CALIFORNIA MECHANICAL CODE, 2013 CALIFORNIA ELECTRICAL CODE, 2013 CALIFORNIA FIRE CODE, 2013 CALIFORNIA ACCESSIBILITY STANDARDS FOR NON-RESIDENTIAL	
TOTAL OUTDOOR DINING AREA: 1,361 SQ. FT.	

ACCESSIBILITY NOTES	
GENERAL NOTES:	<p>Existing Building is newly compliant with all California Accessibility Requirements.</p> <p>The Scope Area portion of this Remodel is required to be Compliant with Title 24 Accessibility Requirements and Codes for Public Accommodation. The Machinery Room, existing work in order to be compliant can be the following:</p> <ul style="list-style-type: none"> 1. Toilet Room, Accessible; (Elevated Dispenser) 2. Refreshment Area; (Elevated Dispenser) <p>See Plans for requirements for Accessibility Compliance.</p>
FIRE SPRINKLER NOTES	Existing Building is Fully Sprinklered.

Sacramento Design Systems

1751 Cebrian Street
West Sacramento, CA 95691
www.sacramentodesignsystems.com
Phone: 916.718.2673
Fax: 916.718.2673

REVISIONS	
No.	Description

Item #: 5.C. Attachment A. Project Plans.pdf

BID SUPPLEMENT 01/26/2015

PROJECT NAME: Nob Hill #6

PROJECT ADDRESS: 809 Bay Avenue Capitola, CA

SHEET TITLE: Planning Submit Title Sheet

Sheet Number: 01
Drawn By:
Checked By:
Scale: AS



Vicinity Map - Planning Submittal
1" = 900'



REVISIONS

No.	Description

BID SUPPLEMENT
01/26/2015

PROJECT NAME:

Nob Hill #615

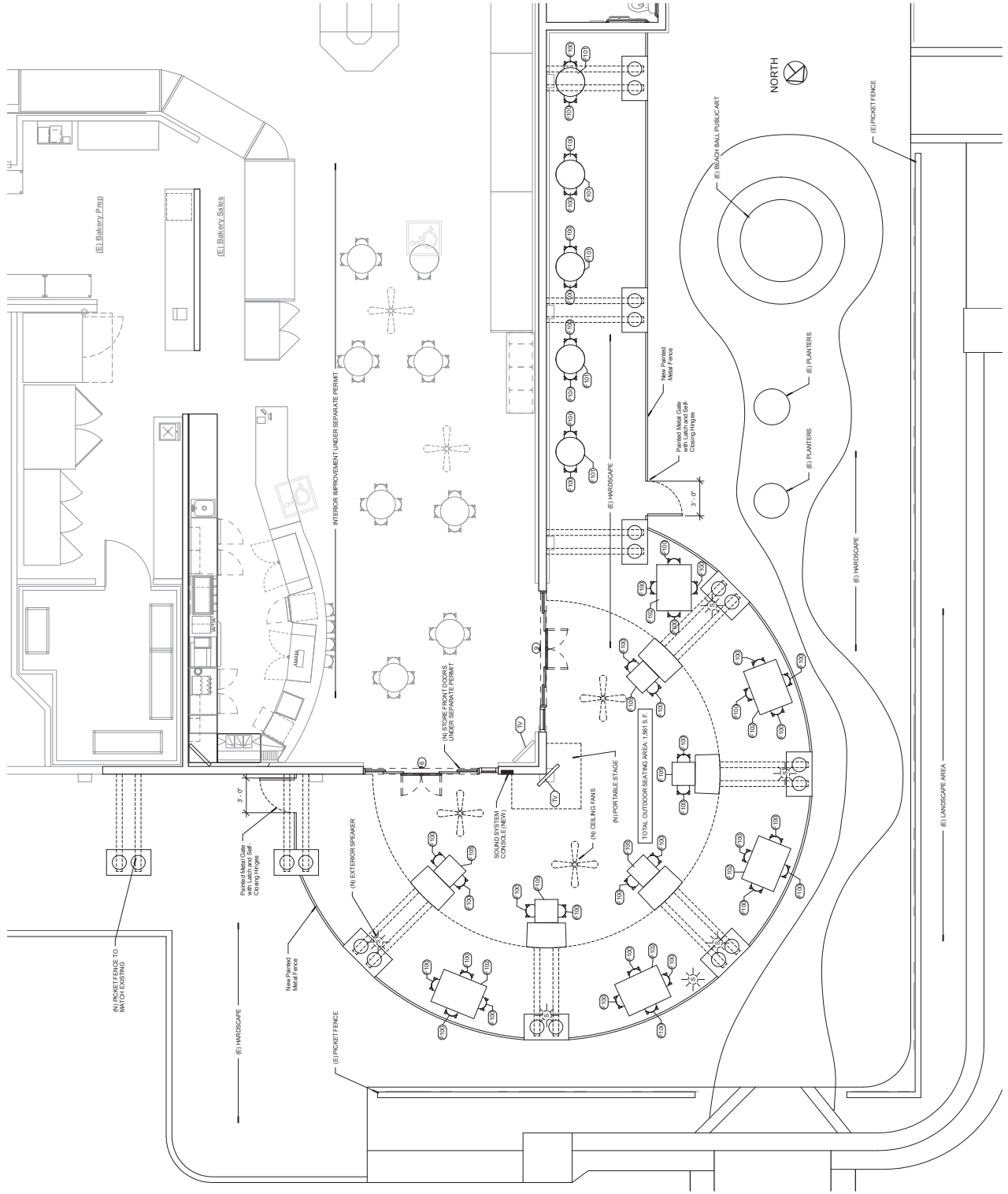
PROJECT ADDRESS:
**809 Bay Avenue
Capitola, CA**

SHEET TITLE:
**Exterior Patio Work
Plan**

Prepared by:	LA OBE
Date:	01/08/2015
Drawn by:	MKEG
Checked by:	MKEG

A1.1

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



Outdoor Seating Area Detail
1/4" = 1'-0"



1751 Cebrian Street
West Sacramento, CA 95691
916.378.2642
www.sacramentodesignsystems.com
A Division of the University of California, Davis

REVISIONS

No.	Description	Date

Item #: 5.C. Attachment A. Project Plans.pdf

BID SUPPLEMEN
01/26/2015

PROJECT NAME:

Nob Hill #6

PROJECT ADDRESS:
**809 Bay Avenue
Capitola, CA**

SHEET TITLE:
**Exterior Patio Det
- Photos**

Sheet Number: 01
Date:
Drawn by:
Checked by:

A1.2

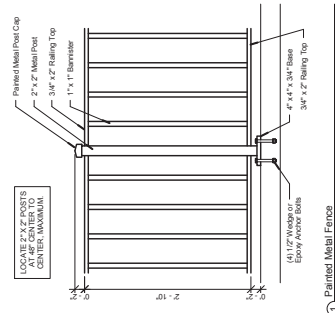
Scale:



EXISTING SEATING AREA PHOTO 1



EXISTING SEATING AREA PHOTO 2



① Patioed Metal Fence
1" = 1'-0"

Planting Exterior Equipment Schedule		
Type Mark	Manufacturer	Description
TV	180	New, Flat Screen TV, Provide Mounting as Well as Required.

Furniture Schedule			
Type Mark	Model	Description	Comments
F100	WOODLUM 3000	Chair for Seating / 18in Height	
F101	WOODLUM 3000	Round Table, 36" Diameter	
F102	WOODLUM 3000	TOP SEAT 62" x 42" x 42"	
F103	WOODLUM 3000	TOP SEAT 62" x 42" x 42"	
F104	WOODLUM 3000	TOP SEAT 62" x 42" x 42"	



1751 Cabian Street
West Sacramento, CA 95696
www.sacramentodesignsystem.com
A Division of HOK USA, Inc.

REVISIONS

No. Description

No.	Description
-----	-------------

BID SUPPLEMENT
01/26/2015

PROJECT NAME:

Nob Hill #615

PROJECT ADDRESS:
**809 Bay Avenue
Capitola, CA**

SHEET TITLE:
**Existing
Landscaping**

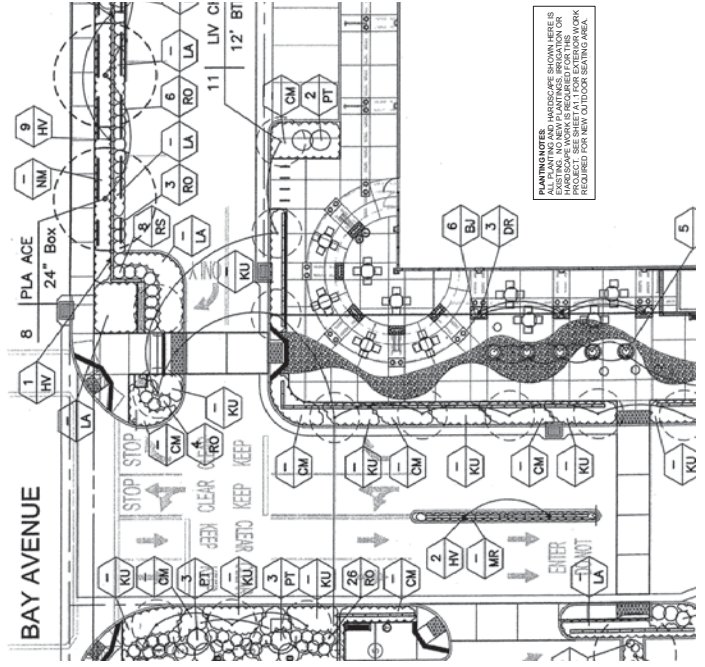
Drawn by: MKEG
Checked by: MKEG
Date: 01/08/2015

L1.1

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

PLANT PALETTE

KEY	SIZE	BOTANICAL NAME	COMMON NAME	COMMENTS
PLA ACE	24" Box	<i>Platanus acerifolia</i>	London Plane	
LV CH	12"-15" BPH	<i>Utricularia chironis</i>	Chinese Fan Palm	
PS CH	24" Box	<i>Pistacia chinensis</i>	Chinese Pistache	
SEC SHRB	24" Box	<i>Sequoia sempervirens</i>	Coast Redwood	
SHRUBS				
KEY	SIZE	BOTANICAL NAME	COMMON NAME	COMMENTS
AM	1 gal	<i>Adiantum christinae</i>	Maidenhair Fern	24" O.C.
AU	5 gal	<i>Achillea millefolium</i>	Yarrow	
BU	5 gal	<i>Buxus japonica</i>	Japanese Boxwood	
BP	1 gal	<i>Baccharis pilularis 'Twin Peaks'</i>	Dwarf Coyote Bush	36" O.C.
CI	1 gal	<i>Ceanothus leucanthus 'Stella Blue'</i>	Blue Sage	6" O.C.
CM	1 gal	<i>Carex morrowii 'Gold Band'</i>	Gold Band Sedge	15" O.C.
DL	5 gal	<i>Delphinium 'Lamendrop'</i>	Fortnight Lily	24" O.C.
DR	5 gal	<i>Dryopteris 'Lamendrop'</i>	Royal Trumpet Vine	Tie to Post
FG	1 gal	<i>Festuca glauca</i>	Common Blue Fescue	12" O.C.
FP	1 gal	<i>Ficus pumila</i>	Creeping Fig	Attach to Wall
HH	1 gal	<i>Hemerocallis 'Stella D'Or'</i>	Daylily	18" O.C.
HM	5 gal	<i>Hieracium maxima</i>	Bladed Alum Root	24" O.C.
HV	5 gal	<i>Hardy Bergia violacea 'Alba'</i>	Alba. Vine	Tie to Fence
JP	5 gal	<i>Janus Peters 'Carmen's Gray'</i>	California Gray Rush	18" O.C.
LA	5 gal	<i>Lavandula angustifolia</i>	English Lavender	18" O.C.
LP	1 gal	<i>Limonium perfoliatum</i>	Sea Lavender	
KU	5 gal	<i>Koeleria ovata</i>	Red Hot Poker	24" O.C.
LA	5 gal	<i>Liriodendron tulipifera</i>	Giant Lily Turf	18" O.C.
MR	5 gal	<i>Muhlenbergia 'Egmont'</i>	Dwarf Deer Grass	24" O.C.
PT	15 gal	<i>Phlox subulata 'Majesty'</i>	Phlox	
RO	5 gal	<i>Rosa 'Tuscany Blue'</i>	Rosemary	
RS	5 gal	<i>Rosa 'Speciosa 'JAG'Quabr'</i>	Yellow Simplicity Rose	
SR	5 gal	<i>Streptocarpus reginae</i>	Bird of Paradise	
GRASS				
NM	Soil	No Mow Five Fescue Blend	No Mow Fescue	Pacific Sod



PLANTINGS AND HARDSCAPE SHOWN HERE IS FOR INFORMATION ONLY. PLANTINGS AND HARDSCAPE TO BE INSTALLED FOR EXTERIOR WORK SHALL BE SHOWN ON SEPARATE SHEETS.

1. Existing Landscaping
1/16" = 1'-0"

NOB HILL PATIO MANAGEMENT PLAN

- Operational hours are the same as the Store – 6:00 AM until 11:00 PM 7 Days per week
- Live Music will be limited to one or two performing artists
- Music will be mainly acoustic, but amplified by the sound system
- Entertainment during the week will perform in the later afternoons and evenings, between 3:00 and 9:00
- Entertainment on the weekends will perform between 10:00 AM and 9:00 PM
- Performances will be 4 hours in length or shorter

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