



AGENDA

CAPITOLA PLANNING COMMISSION

Thursday, July 17, 2014 – 7:00 PM

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

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

B. Public Comments

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

C. Commission Comments

D. Staff Comments

3. APPROVAL OF MINUTES

A. Approval of June 5, 2014 Planning Commission draft 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. 528 Capitola Avenue #14-094 APN: 035-094-29

Sign Permit for a new wall sign to be located at the Dignity Health Medical Group located at 528 Capitola Avenue on a parcel that is located within two zoning districts including CN (Commercial Neighborhood) and R-1 (Single-Family Residential) Zoning District.

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

Environmental Determination: Categorical Exemption

Property Owner: Harold LaFont

Representative: Bob Deschamps (Pro Signs Inc.), filed: 6/17/14

B. 2000 Wharf Road and Parcel Adjacent to 809 Bay Avenue #14-096**APNs: 035-021-42; 035-371-01; and 035-371-02**

Coastal Development Permit application and Tree Removal Permit for the Soquel Pump Station Force Main Replacement project. The project runs on either side of and under Soquel Creek from property adjacent to Peery Park through the Rispin property to Clares Street.

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: Mitigated Negative Declaration

Applicant: Santa Cruz County Sanitation District

Property Owners: Santa Cruz County Sanitation District and City of Capitola

Representative: Rachel Lather, filed: 06/17/14

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. 1440 41st Avenue #14-075 APN: 0034-111-50

Amendment to Master Sign Program (Four Starr Center) to allow an additional Verizon sign on the building located at 1440 41st Avenue in the CC (Community Commercial) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: Richard Starr

Representative: Chris Merrell (Northwest Signs), filed: 5/20/14

B. 1649 41st Avenue #14-076 APN: 304-151-09

Sign Permit for new monument sign with LED lettering at the Shell Gas Station, located in the CC (Community Commercial) Zoning District.

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

Environmental Determination: Categorical Exemption

Property Owner: Peninsula Petroleum LLC

Representative: Hillary McClurg, filed 5/21/14

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

Adjourn to the next Planning Commission on Thursday, August 7, 2014 at 7:00 PM, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

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

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

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

Agenda and Agenda Packet Materials: The Planning Commission Agenda and complete Agenda Packet are available on the Internet at the City's website: www.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, JUNE 5, 2014
7 P.M. – CAPITOLA CITY COUNCIL CHAMBERS**

Vice 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: Ron Graves, Mick Routh, Linda Smith and TJ Welch
Absent: Gayle Ortiz

2. ORAL COMMUNICATIONS

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

3. APPROVAL OF MINUTES

- A. **May 1, 2014, Draft Planning Commission Minutes**

A motion to approve the May 1, 2014, meeting minutes was made by Commissioner Welch and seconded by Commissioner Graves.

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

4. CONSENT CALENDAR

- A. **138 Cabrillo St. #14-071 APN: 036-182-08**
Fence Permit application with request for an exception to the required 5-foot setback for a 30-inch-tall fence on a corner lot located in the R-1 (Single-Family Residential) Zoning District.
This project is in the Coastal Zone but does not require a Coastal Development Permit.
Environmental Determination: Categorical Exemption
Property Owner: Austin Sherwood
Representative: Chris Chambers, filed: 5/9/14

A motion to approve project application #14-071 for a fence setback exception with the following conditions and findings was made by Commissioner Welch and seconded by Commissioner Routh:

CONDITIONS

1. The project approval consists of construction of a 30 inch high fence. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on April 3, 2014, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Prior to construction, a fence permit shall be secured for the construction of a fence authorized by this permit. Final fence permit plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans
3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
4. Prior to 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.
5. Prior to issuance of fence permit, all Planning fees associated with permit #14-071 shall be paid in full.
6. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
7. 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.
8. 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, General Plan, and Local Coastal Plan.**
Community Development Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project secures the purposes of the R-1 (Single Family Residence) Zoning District. A setback exception for a front yard fence has been granted by the Planning Commission 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 Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project is located in the R-1(Single Family Residential) zoning district, just north of the Cabrillo Street and Sir Francis Avenue intersection. The project received a setback exception to the corner lot fence setback standard to maintain the character and integrity of the neighborhood. The proposed fence compliments the existing mix of fences in the neighborhood.

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

This project involves construction of a new fence in the R-1 zoning district. Section 15303 of the CEQA Guidelines exempts the construction of a fence in a residential zone.

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

B. 116 Stockton Ave. #14-074 APN: 035-23-113

Conditional Use Permit for a new market with prepared food (Restaurant) and Sale of Alcohol (beer and wine) at 116 Stockton Avenue in the CV (Central Village) Zoning District.

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

Environmental Determination: Categorical Exemption

Property Owner: Rickey Felder

Representative: Sholeh K. Westfall, filed 5/20/2014

Attorney Ed Newman requested that this item be pulled from the Consent Agenda. It was heard as a public hearing immediately following.

Senior Planner Katie Cattan presented the staff report. She noted the applicant prepared a management plan for the type 41 liquor license and the conditions include specific items requested by the police chief related to this license. She presented amendments to conditions 21 and 22 that would allow a single beer or wine cooler to be sold for consumption onsite.

Applicant Sholeh Westfall assured the Commission that the sale of alcohol would be properly monitored, and reiterated her business plan. Commissioner Routh asked where food would be prepared offsite. She responded she is speaking with two facilities in downtown Santa Cruz currently, but she is seeking a closer location. Commissioner Routh expressed concern about take-out alcohol since it is not permitted on the beach.

Commissioner Smith confirmed the type of foods prepared. Ms. Westfall explained there would be some assembly of foods and sale of marinated meat to be grilled at another location. Her vision is a specialty food market.

Vice Chairperson Smith opened the public hearing. Mr. Newman expressed concern about sales of beer and wine to go that may end up on the beach or concerts. He noted there is no commercial parking onsite in a highly congested spot.

There was no other public comment and the public hearing was closed.

Commissioner Routh asked for clarification of the restaurant designation. Staff responded that preparation of food triggers the restaurant definition, which was deemed to have more potential development impact than the market.

Commissioner Graves noted the site's most recent use as a wine bar with limited seats and asked why this was not an intensification of use. Planner Cattan clarified that code lists retail use or restaurant with 6 seats as comparable intensities.

Community Development Director Rich Grunow explained that intensification focuses on use classifications within the zoning code, rather than differentiation by specific use types, which is very difficult to quantify.

Commissioners discussed the specialty market use with the applicant and acknowledged the difficulty of defining primary use.

A motion to approve project application #14-074 for a Conditional Use Permit with the following conditions and findings was made by Commissioner Welch and seconded by Commissioner Routh:

CONDITIONS

1. The project approval consists of a Conditional Use Permit to allow a market/restaurant with the sale of beer and wine within the existing commercial space located at 116 Stockton Avenue. No modifications to the exterior of the building are proposed.
2. Seating is limited to a maximum of 6 seats.
3. 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. The applicant shall receive permission from ABC prior to selling beer and wine. 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.
5. Sales and service of alcoholic beverages shall be permitted only between the hours of 7:00 a.m. and 7:00 p.m. seven days a week.
6. The sale of distilled spirits is prohibited.
7. There be no amplified audible entertainment inside the business that can be audible outside to the attached curb line in front of the business.
8. There shall be no live entertainment of any type, including but not limited to live music, disc jockey, karaoke, topless entertainment, male or female performers or fashion shows.
9. No dancing on the premises.
10. 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.
11. The establishment must maintain a valid license from the Alcohol Beverage Control.
12. The applicant is responsible for maintaining the area directly in front of the business free from litter and/or graffiti.
13. Loitering will not be allowed on or in front of the premise.

14. A six month review of conditions shall be conducted. Additional conditions will be added as needed.
15. No happy hour type of reduced price alcoholic beverage promotion shall be allowed.
16. At all times when the premises are open for business the sale of alcoholic beverages shall be made only in conjunction with the sale of food to the person ordering the beverage.
17. Sales, delivery and consumption of alcoholic beverages will be restricted to and within the confines of the building portion of the premises and sales or delivery of alcoholic beverages through any pass-out window is prohibited.
18. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food during the same period. The licensee shall at all times maintain records which reflect separately the gross sale of food and the gross sales of alcoholic beverages of the licensed business. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the Department on demand.
19. The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control.
20. Trash shall not be emptied later than 8 pm. Trash collection times must be consistent with hours established for the Village.
21. The sales of beer or malt beverages in quantities of quarts, 22 oz., 32 oz., 40 oz., or similar size containers is prohibited. No beer or malt beverages shall be sold in quantities of less than six per sale, with the exception of single beverages to be consumed onsite with food.
22. Beer, malt beverages, and wine coolers in containers of 16 oz. or less cannot be sold by single containers, but must be sold in manufacturer pre-packaged multi-unit quantities, with the exception of single beverages to be consumed onsite with food.
23. The licensee shall keep the property, adjacent to the licensed premises and under the control of the licensee(s) clear of newspaper racks, benches, pay telephones, bicycle racks, and any other objects which may encourage loitering.
24. The licensee shall not sell and/or offer for sale or display any magazine, video, or other printed material which contains pictures depicting:
 - Acts or simulated acts of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts which are prohibited by law.
 - Any person being touched, caressed or fondled on the breast, buttocks, anus or genitals.
 - Scenes wherein a person displays the vulva or the anus or the genitals.
 - Scenes wherein artificial devices or inanimate objects are employed to depict, or drawings are employed to portray, any other prohibited activities described above.
25. 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 and the Planning Commission have reviewed the application and determined that the business owner may be granted a conditional use permit for a market/restaurant with sale of beer and wine 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 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 an new grocery/restaurant with the sale of beer and wine. No adverse environmental impacts were discovered during project review by either the Planning Department Staff or the Planning Commission.

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

5. PUBLIC HEARINGS

- A. **203 Sacramento Avenue #14-064 APN: 036-125-03**
205 Sacramento Avenue #14-065 APN: 036-125-15

Design Permit Amendment to modify exterior materials for two new single-family homes located in the R-1 (Single-Family Residential) Zoning District.

Environmental Determination: Categorical Exemption

This application does not require an amendment to the previously issued Coastal Development Permits.

Property Owner of 203 Sacramento: Anna Cierkosz

Property Owner of 205 Sacramento: Nick Cierkosz

Representative: Anna Cierkosz, filed 5/2/14

Commissioner Welch recused himself since he owns property in the project vicinity and left the dais. Assistant Planner Ryan Safty presented the staff report including the timeline and images for changes requested by new owners of the as-yet-unfinished, new single-family homes.

Commissioner Routh thanked the applicant for following proper procedure to make façade changes.

There was no comment for the public hearing.

Commissioner Graves asked when construction may be completed if the plans are approved this evening. The applicant responded that the families hope to complete work by the end of summer.

A motion to approve project applications #14-064 and #14-065 for Design Permit Amendments with the following conditions and findings was made by Commissioner Routh and seconded by Commissioner Graves:

CONDITIONS

1. All previous conditions of approval of Design Permit #12-014 for 203 Sacramento Avenue and Design Permit #12-013 for 205 Sacramento Avenue continue to apply.
2. The applicant shall construct the single-family homes at 203 Sacramento Avenue and 205 Sacramento Avenue as approved by the Planning Commission on June 5, 2014, including any additional exterior modifications deemed necessary by the Planning Commission during the meeting. Prior to Certificate of Occupancy the Community Development Director or his designee must find that the buildings reflect the design permit, as amended by the Planning Commission on June 5, 2014.

FINDINGS

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

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project conforms to the development standards of the R-1 (Single Family Residence) Zoning District. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance, 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 exterior modifications to the project. The exterior material is similar to other newer residences in the area therefore, the project's overall design will maintain the character and integrity of the neighborhood.

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

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

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

B. 401/403 Capitola Avenue #13-082 APN: 035-131-11

Design Permit, Variance, Sign Permit, and Coastal Development Permit to demolish the existing duplex and construct a new two-story commercial building in the CN (Neighborhood Commercial) Zoning District and Floodplain District.

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

Environmental Determination: Categorical Exemption

Property Owner: Starley Moore, filed: 6/17/13

Representative: Derek Van Alstine

Commissioner Graves recused himself since he owns property in the project vicinity and left the dais. Senior Planner Cattan presented the staff report. She noted the requested setback variances reflect no change to the existing rear setback and an increased setback to existing conditions in the front, although not the level required by the zoning ordinance. Additionally, since there is currently no parking onsite, the request for a variance for parking does not increase intensity of the existing non-conformity. She noted that the applicant attempted to lease nearby parking, but was unsuccessful.

She also outlined the process and criteria for historic consideration.

Derek Van Alstine spoke on behalf of the applicant. He said that the intended commercial use with walking patrons is likely a less intense use than a residential duplex. He also noted the cost of rehabilitation is prohibitive due to the building's dilapidated state. The design reflects the reality of neighboring setbacks and uses. He acknowledged the building's location in front of the trestle sets the tone of the entrance to the Village from Capitola Avenue.

Commissioner Smith asked for details of the proposed windows and roof. Mr. Van Alstine said the simulated divided lights maintain the aesthetic of the historic era. The roofing material is corrugated metal and is correct to the period of the existing building.

Owner Starley Moore confirmed that the design presented is what she desired and intends to build, and is aware of the cost of materials.

Vice Chairperson Smith opened the public hearing.

Bob Henry of 402 Riverview, the neighbor behind the proposed building, spoke in support of the project. He called the back of the existing building "a joke."

Dunn Silvey of Fanmar Way said it is a great project, but expressed concern about the impact with no onsite parking. He worries that employees will seek free parking in neighborhoods in spite of the City's new parking lot and would like to encourage the City to consider options such as offsets to mitigate those problems.

The public hearing was closed.

Commissioner Routh noted he once rented the home 46 years ago and it was not well maintained even then, so does not support historic status. He agreed that the location sets the tone for the Village and believes the train depot appearance does not reflect the Village historical style, which to him has a more European feel. He would support a continuance for design.

Commissioner Welch does not believe the building meets historic preservation requirements and likes the new design. He said the Village has an eclectic style and noted some well-received new projects such as the "lighthouse" building are not European/Mediterranean design. He feels this project is fitting for the area.

Commissioner Smith spoke to the question of the City's historic features preservation and acknowledged gaps in the current ordinance. She believes Capitola's citizens do care about preserving historic character, but in this case the building structure itself is more historical than historic, and therefore does not qualify for additional CEQA review. As a gateway location, the design would optimally reflect Capitola or the existing building's style, but she also believes people have a right to build the style they desire as long as it is well done. For this proposal, the quality of the construction and materials are paramount. Capitola's character reflects a lot of different styles and although she would have liked a different design, she will not deny it for that reason.

A motion to approve project application #13-082 for a Design Permit, Variance, Sign Permit and Coastal Development Permit with the following conditions and findings was made by Commissioner Welch and seconded by Commissioner Smith:

CONDITIONS

1. The project approval consists of construction of a new 1,115 square-foot commercial building. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on June 5, 2014, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans.
3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
4. At time of submittal for building permit review, Public Works Standard Detail SMP STRM shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.
5. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
6. Prior to issuance of building permit, 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.
7. Prior to issuance of building permit, all Planning fees associated with permit #13-082 shall be paid in full.
8. 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.
9. 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.
10. 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).
11. 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.
12. 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.

13. 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 9 p.m. and 7:30 a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between 9 a.m. and 4 p.m. or emergency work approved by the building official. §9.12.010B
14. 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.
15. 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.
16. 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.
17. 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.
18. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.

FINDINGS

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

Community Development Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the plans for the new commercial building. The project conforms to the development standards of the CN (Neighborhood Commercial) Zoning Districts with the granting of a variance for setbacks and parking. 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 Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the application for the new commercial building. The Planning Commission has granted a variance for setbacks and height to maintain the character and integrity of 400 block of Capitola Avenue within the CN Zoning District. This block is defined by commercial and residential properties with limited parking and setbacks. Conditions of approval have been included to ensure that the project maintains the character and integrity of the neighborhood. The proposed design compliments the existing streetscape in the neighborhood in use, mass and scale, materials, height, and architecture. The Planning

Commission finds that the existing structure at 401/403 Capitola Avenue is not a local historic feature and may be demolished.

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

Section 15303(c) of the CEQA Guidelines exempts the construction of a commercial building within an urbanized area under 10,000 sf. This project involves construction of a new commercial building within the CN (Neighborhood Commercial) Zoning District. No adverse environmental impacts were discovered during review of the proposed project.

COASTAL FINDINGS

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

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

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

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

- The proposed project is located at 401/403 Capitola Avenue. The business is not located in an area with coastal access. The business 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 at 401/403 Capitola 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 at 401/403 Capitola 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 an existing commercial building. There are no sensitive habitat areas on the property.

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 commercial use within an existing neighborhood commercial zone.**

SEC. 30223

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

- **The project involves a commercial use within an existing neighborhood commercial 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 commercial use within an existing neighborhood commercial lot of record.**

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

- **The project involves a commercial use within an existing neighborhood commercial lot of record. 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 standards established by the Municipal Code with the granting of a variance from the Planning Commission.

(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 Central Fire District. Water is available at the location.

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

- The project is a commercial use within an existing neighborhood commercial lot of record. The GHG emissions for the project are projected at less than significant impact. All water fixtures must comply with the low-flow standards of the Soquel Creek Water District.

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

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

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

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

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

- There are no impacts to natural resource, habitat, and archaeological resources.

(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 will comply with drainage and erosion and control measures as conditions.

(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 is not located in a geologically unstable area.

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

- All geological, flood, and fire hazards are accounted for and 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 neighborhood commercial 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 with the granting of a variance by the Planning Commission.

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

- The parking demand is not increased through this application.

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

6. DIRECTOR'S REPORT

City Council will resume consideration of the General Plan adoption June 26. Council members expressed interest in having some Planning Commissioners present to discuss their views and FAR.

On May 22 the Council accepted the work plan for the Zoning Ordinance update.

The draft EIR for Monarch Cove is currently in public review with comments due July 14. Staff will then respond to comments before a hearing is set, and Director Grunow does not anticipate it will come to the Planning Commission before September.

7. COMMISSION COMMUNICATIONS - None

8. ADJOURNMENT

Vice Chair Smith adjourned the meeting at 8:08 p.m. to the regular meeting of the Planning Commission to be held on Thursday, July 17, 2014, at 7 p.m. in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

Approved by the Planning Commission on July 17, 2014.

Linda Fridy, Minute Clerk



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: JULY 17th, 2014

SUBJECT: **528 CAPITOLA AVENUE #14-094 APN: 035-094-29**
 Sign Permit for a new wall sign to be located at the Dignity Health Medical Group located at 528 Capitola Avenue on a parcel that is located within two zoning districts including CN (Commercial Neighborhood) and R-1 (Single-Family Residential) Zoning District.
 This project is in the Coastal Zone, but does not require a Coastal Development Permit.
 Environmental Determination: Categorical Exemption
 Property Owner: Harold LaFont
 Representative: Bob Deschamps (Pro Signs Inc.), filed: 6/17/14

APPLICANT PROPOSAL

The applicant (Dignity Health) submitted a sign permit application for a second wall sign at their office located at 528 Capitola Avenue. The proposal is consistent with the General Plan and Zoning Ordinance.

DISCUSSION

On June 17th, 2014, the City received an application for a new wall sign at Dignity Health that will face Beverly Avenue. The new wall sign on the north side of the building requires approval by the Planning Commission. There is an existing wall sign along Capitola Avenue which will be replaced. The replacement sign fits within the original wall sign dimensions and is not illuminated. This sign was approved administratively and does not require Planning Commission approval.

The proposed new sign on Beverly Avenue complies with the requirements for wall signs listed within §17.57.020.B of the zoning code. The wall sign is located at the side entrance to the medical center. The property is allowed to have two wall signs due to the medical center being located on a corner lot and a monument sign not being present. The 35 square-foot wall sign is well under the maximum size of one square foot of sign area for each linear foot of business frontage. The business frontage on Beverly Avenue is 120 linear feet.

The wall sign was originally proposed as internally illuminated with halo push-thru letters and logo. The sign faces Beverly Avenue and the adjacent residential property along Capitola Avenue. Illuminated signs can be an incompatible feature in neighborhoods with low density residential uses due to glare and visual clutter. The applicant has responded to staff's concern and agreed to remove the internal illumination from the sign. The front portion of the property, in which the new sign is proposed, is located within the CN (Neighborhood Commercial) zoning district which is a mix of commercial and residential uses. The rear portion of the lot is in the R-1 (Single Family) zoning district.

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 sign for an existing commercial space. No adverse environmental impacts were discovered during project review by either the Community Development Department Staff or the Planning Commission.

RECOMMENDATION

Staff recommends that the Planning Commission **approve** project application #14-094 based on the following Conditions and Findings for Approval.

CONDITIONS

1. The property is located at 528 Capitola Avenue on the corner of Capitola Avenue and Beverly Avenue. There is no monument sign on the site. The new sign application is for wall sign facing Beverly Avenue. The sign will be 35 square feet. The proposed halo illumination is not approved within this application.
2. The proposed halo illumination on the new wall sign facing Beverly Avenue has not been approved within this application due to possible impacts of lighting and visual clutter on adjacent residential properties.
3. Prior to installation of a new sign, the applicant must obtain a permit from the Community Development Department and Building Department.
4. Prior to operation of a new business, the applicant shall obtain a business license from the City of Capitola.
5. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and installation of the sign 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.
6. 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.**
Planning Staff and the Planning Commission have reviewed the application and determined that the proposed sign is allowed in the CN Zoning District. Conditions of approval have been included to ensure the sign will secure the purpose of the Zoning Ordinance and General Plan.
- B. **The application will maintain the character and integrity of the neighborhood.**
Planning Department Staff and the Planning Commission have reviewed the sign and determined that the sign complements the building form. The sign maintains the character and integrity of the neighborhood within the City of Capitola. The proposed internal lighting has not been approved due to possible impact on adjacent property owners. 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 sign for an existing commercial space. No adverse environmental impacts were discovered during project review by either the Planning Department Staff or the Planning Commission.

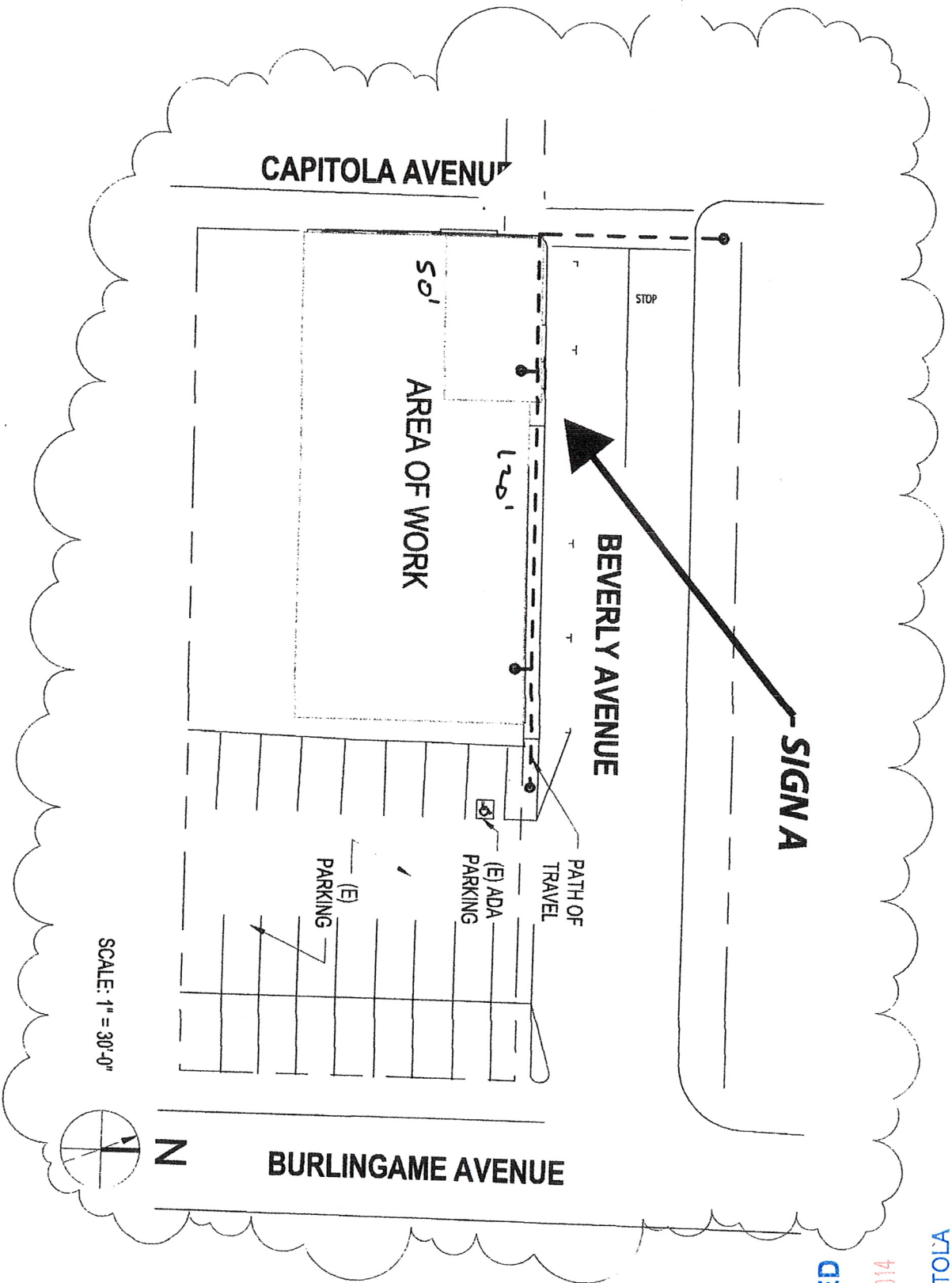
Report Prepared By: Katie Cattan, Senior Planner

Attachment A – Sign Plans

P:\Planning Commission\2014 Meeting Packets\07-17-14 Planning Commission\14-094\

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ARCHITECTURAL SITE PLAN



SCALE: 1" = 30'-0"

DIGNITY HEALTH MEDICAL GROUP,
DOMINICAN
CAPITOLA FAMILY PRACTICE RENOVATION

528 CAPITOLA AVENUE, CAPITOLA, CALIFORNIA

CITY OF CAPITOLA

RECEIVED

JUN 17 2014



PLEASE REVIEW CAREFULLY.

COMPANY:

DESIGNER:

This layout is exactly what your sign will look like. This proof may not represent the true color of your sign. Please confirm with your salesperson on picking colors prior to confirming. BY YOUR SIGNATURE, YOU ARE APPROVING CONTENT, COLORS, SPELLING, SIZE, ETC...

APPROVED: X *[Signature]*

DATE: 6.16.14

15330 LOS GATOS BOULEVARD LOS GATOS, CALIFORNIA 95032 | VC: 408.358.1218 | FX: 408.358.1565 | www.prosigns.com

Sign A

Photo Elevation at Entry-1/4"=1'-0"



LED-Illuminated Sign Face Frame System - SIGN A

System 275) Sign Frame System (Gable Back).

Routed Aluminum Face (Removable) Adhered to Retainers with Lord Adhesive.

Paint to Match _____.

White LED Illumination.

Power Supply Mounted in Cabinet.

060:

1/2" Clear Acrylic Push-Thru's With #84 Tangerine Vinyl Overlays.

DIGNITY HEALTH MEDICAL

GROUP DOMINICAN/TAGLINE:

* 1/2" Clear Acrylic Push-Thru's

With Trans. White Vinyl Overlays.

528:

* 1/2" Clear Acrylic Push-Thru's

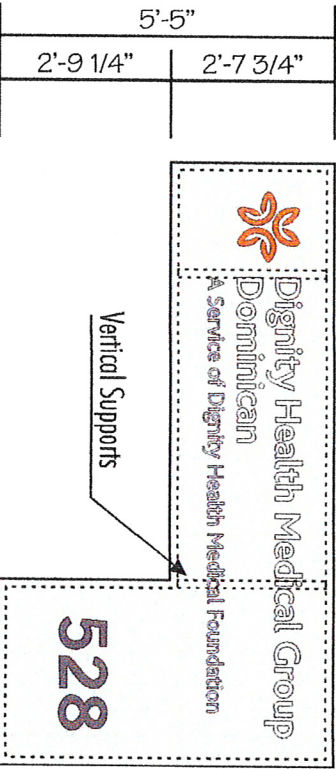
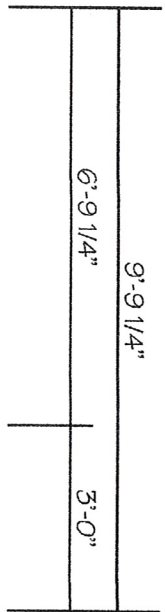
With #61 Slate Grey Vinyl Overlays.

PANEL:

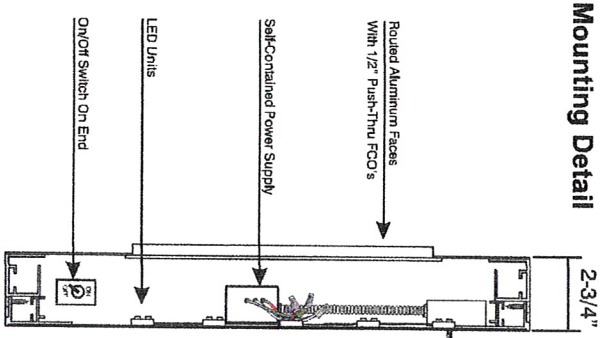
* .125" Alum. Panel Paint to

Match _____.

* Stud Mount Flush (See Detail).



Mounting Detail



110v
20 A
35 5/8 ft.

Alum. Panel
(See Detail)

Switch

PLEASE REVIEW CAREFULLY.

COMPANY: *Dignity Health*

DESIGNER:

This layout is exactly what your sign will look like. This proof may not represent the true color of your sign. Please confirm with your salesperson on picking colors prior to confirming.

BY YOUR SIGNATURE, YOU ARE APPROVING CONTENT, COLORS, SPELLING, SIZE, ETC...

APPROVED: *X [Signature]*

DATE: *6.16.14*



Photo Elevation at Entry--1/4"=1'-0"



Google earth



3D/x Sign Systems 158 S. Humboldt St. Denver, CO 80209
 303.715.0717 v 303.715.9034 fax JJ@3DxDenver.com

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Exterior Signage

Dignity Health Medical Group-Dominican
 528 Capitola Ave.
 Capitola, CA 95010

Sheet number

2 of 4



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: JULY 17, 2014

SUBJECT: **2000 WHARF ROAD & ADJACENT TO 809 BAY AVENUE #14-096**
APNs: 035-021-42; 035-371-01; and 035-371-02
Coastal Development Permit application and Tree Removal Permit for the Soquel Pump Station Force Main Replacement project. The project runs on either side of and under Soquel Creek from property adjacent to Peery Park through the Rispin property to Clares Street.
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: Mitigated Negative Declaration
Applicant: Santa Cruz County Sanitation District
Property Owners: Santa Cruz County Sanitation District and City of Capitola
Representative: Rachel Lather, filed: 06/17/14

APPLICANT'S PROPOSAL

The County of Santa Cruz Public Works Department is requesting a Coastal Development Permit from the City of Capitola for a project involving replacement of approximately 1,200 linear feet of a section of the Soquel transmission sewer main of which 300 linear feet run under Soquel Creek. The Coastal Development Permit being considered by the Planning Commission is for the portion of the project between Bay Avenue and Wharf Road. The project is located in the PF (Public Facility), CC (Community Commercial), and PF-F/P (Public Facility-Park) zoning districts.

DISCUSSION

The Soquel Pump Station Force Main Replacement Project would replace a section of the Soquel transmission main which currently runs under Soquel Creek. The new transmission line would be installed from the Soquel Pump Station (within the Nob Hill Shopping Center) to the existing gravity flow sewer pipeline within Clares Street. The new line is approximately 1,200 linear feet, 300 of which will be placed under Soquel Creek. The new line will go through three properties extending from the existing Santa Cruz County Sanitation District pump house (within the Nob Hill Shopping Center) through the City Owned Peery Park Parcel and Rispin Parcel to Clares Street.

The purpose of the project is to prevent sanitary sewer overflows resulting from pipe failure. The Soquel Creek crossing was constructed in 1977 and includes a 27-inch diameter transmission crossing beneath Soquel Creek. The project includes utilizing a combination of trenchless and open trench construction methods to install the new line. The project also includes mechanical updates to the Soquel Pump Station to enhance operational flexibility and reliability of the pump

station. The improvements to the Pump Station also include odor control improvements to filter air before discharging it out of the pump station, in an effort to address existing concerns.



The main objectives of the Local Coastal Program, as applied to this proposed project, relate to preserving coastal access, public views, and recreational opportunities along the coast. The project will be consistent with these policies.

Tree Removal Permit

In order to make the upgrades to the pump station, four trees that were planted around the periphery of the building must be removed. The applicant is required to replant 8 trees in compliance with the Capitola Municipal Code.

Environmental Review

This Project is subject to the requirements of the California Environmental Quality Act (CEQA). The Santa Cruz County Sanitation District is the CEQA lead agency. An Initial Study/Proposed Mitigated Negative Declaration (MND) has been prepared under the direction of the District to fulfill the CEQA requirements. The District Board will consider adoption of the Initial Study/Mitigated Negative Declaration and approval of the project at their regularly scheduled Board meeting on August 7, 2014. This Initial Study/Proposed MND is intended to satisfy the requirements of CEQA (Public Resources Code, Div 13, §21000-21177), and the State CEQA Guidelines (California Code of Regulations, Title 14, §15000-15387).

The environmental review process generated mitigation measures that will reduce potential impacts from the proposed development. A summary of the potential significant project impacts and mitigation measures are included in the mitigation monitoring plan. The potentially significant impacts were identified to biological resources, cultural resources, hazards and hazardous materials, hydrology and water quality, noise, and mandatory findings of significance.

The following list of mitigations measures have been proposed within the mitigated negative declaration to ensure less than significant impacts from the project:

- BIO-1: To mitigate potential impacts of the project for special-status birds and migratory passerines and raptors, noise generating construction activities will be planned during non-breeding season and a qualified wildlife biologist will conduct a pre-construction survey for any construction activities during the breeding season.
- BIO-2: Protection measures for special-status bats during tree removal at the Soquel creek pump station includes survey of habitat by qualified bat biologist prior to removal of four trees adjacent to the pump station.
- CR-1: Conduct a geoprobe investigation to confirm the boundaries of known archaeological sites and avoid disturbance.
- CR-2: Treatment of archaeological resources inadvertently discovered during construction by a qualified archaeologist.
- CR-3: Treatment of paleontological resources inadvertently discovered during construction by a professional paleontologist.
- CR-4: Protection of human remains if discovered during construction.
- HAZ-1: Hazardous materials management including sampling and, if necessary, implementation of a soil and groundwater management plan.
- HAZ-2: Utility design to prevent migration of contamination.
- M-HY-1: Develop and implement a Storm Water Pollution Prevention Plan.
- NOI-1: The nature of the horizontal directional drilling pipeline installation process could require nighttime activity during drilling for fusing of pipes for up to five nights. Bypass pumping during pump station improvements could occur up to four weeks 24 hours a day during the construction period. The District will secure a work hour exemption from the City for nighttime work in compliance with the City's Municipal Code
- NOI-2: Reduce daytime and nighttime construction related noise through a construction noise mitigation planning.

Due to the large size of the document, the mitigation monitoring plan and initial study are on file with the Planning Department and is available for review by the public upon request.

RECOMMENDATION

Staff recommends that the Planning Commission **approve** application #14-096 based on the following Conditions and the attached Coastal Findings (Attachment B).

1. The project approval consists of a Coastal Development Permit to replace a sewer main currently located under the Soquel Creek with approximately 1,200 linear feet of a new transmission pipeline extending from the Soquel Pump Station on Bay Avenue to Clares Street and improvements to the existing pump station.
2. A time schedule and phasing plan shall be submitted to and approved by the City of Capitola Public Works Director prior to commencement of the project. The phasing plan shall include the work schedule, including what months of the year the construction will take place, construction hours, and traffic control plan.
3. Required easements shall be documented and recorded prior to commencement of the project.
4. The applicant shall be responsible for obtaining the necessary approvals for Riparian Exception from the County of Santa Cruz, Encroachment Permit from the California

Item #: 4.B. Soquel Creek Coastal Permit Staff Report.pdf

Department of Transportation, a Coastal Development Permit from the City of Capitola, and a Lake and Streambed Alteration permit from the California Department of Fish and Wildlife.

5. All mitigation measures proposed within the mitigated negative declaration for the project must be adhered to.
6. The existing landscaping and trees adjacent to the Soquel Creek Pump Station will be removed to construct the flow meter room. The four trees to be removed shall be replaced with 8 new trees in accordance with the City of Capitola tree replanting requirements.

Report Prepared By: Katie Cattan
Senior Planner

Attachment A – Project Plans
Attachment B – Coastal Findings

Please Note: The Mitigated Negative Declaration for this project is available at City Hall. Contact staff Planner Katie Cattan at kcattan@ci.capitola.ca.us or (801) 475-7300 to review the Negative Declaration.

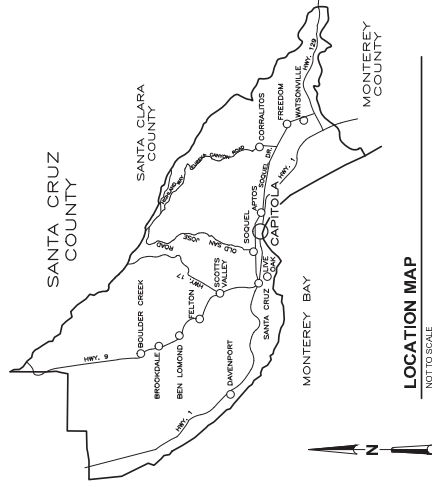
SANTA CRUZ COUNTY SANITATION DISTRICT

Project Plans for the Construction of:

SOQUEL PUMP STATION FORCE MAIN REPLACEMENT PROJECT

CONTRACT NO. CW23707

To be supplemented by Standard Plans dated, March 2012



Sanitation Engineer
Registered Civil Engineer

Distict Engineer
Registered Civil Engineer

Chairperson of the Board

Plan Approval Date

90% SUBMITTAL

Santa Cruz County Sanitation District
Soquel Pump Station Force Main Replacement Project

TITLE SHEET, VICINITY AND LOCATION MAPS

Contact No. 8410698

ANSI D Drawing No. G-001

Client	Project	Title
Designer SD	Design Check	THWMS
Drawn SD	Drafting BT	
Approved (Date)	Checked (Date)	
Scale	None	March 2014

GHD Inc.
228 E. Main Street, Suite 400, Santa Rosa, California 95407 USA
T 707 529 1000 F 707 527 8979
www.ghd.com

Revision	Date	By	Check

Construction Manager	Laurie Gossel
Sanitation Operations Manager	John Swenson
Traffic Engineer	Jack Sorniakoff

Notes:
1. The drawings are to be used in accordance with the specifications and contract documents for the project.
2. The drawings are the property of GHD Inc. and shall remain the property of GHD Inc. if they are not returned to GHD Inc. within 30 days of the date of completion of the project.
3. The drawings are not to be used for any other purpose without the written consent of GHD Inc.

Scale: As Shown

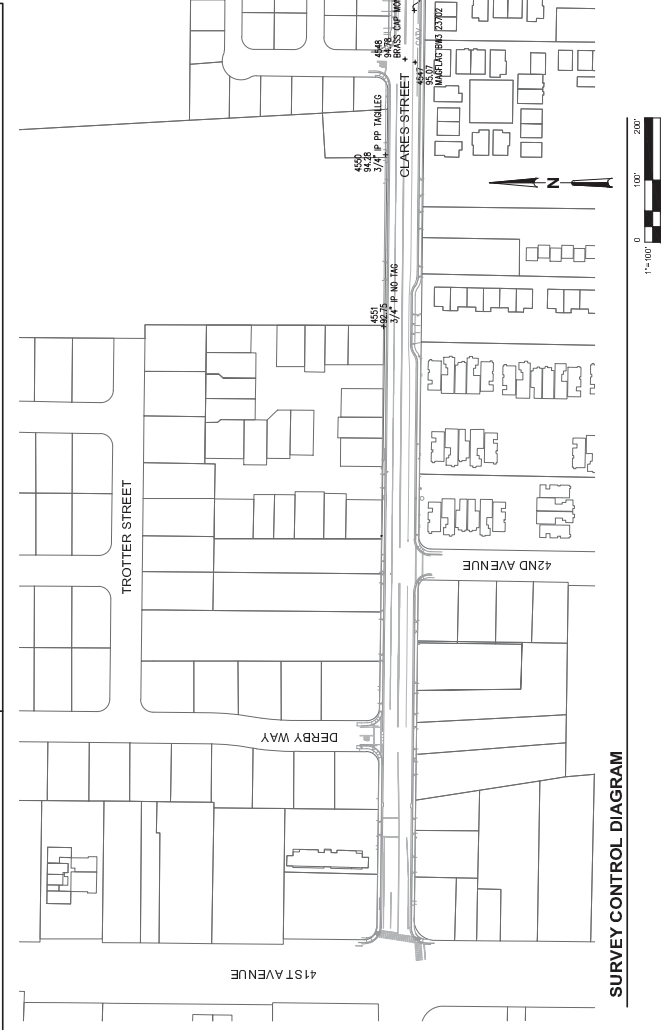
Contract No. 01118P - Santa Cruz Sanitation District Force Main Replacement - 0311-001

Printed by: Steve Davis

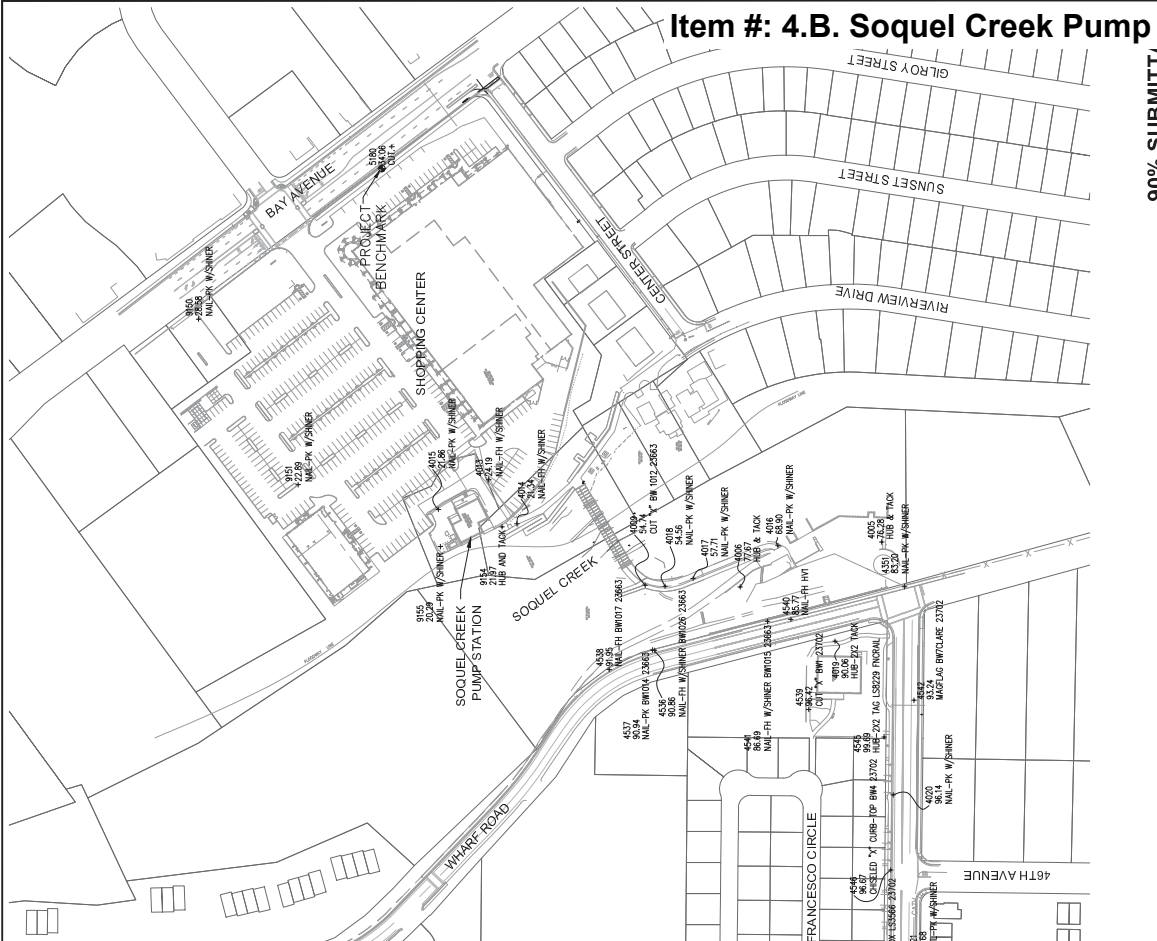
File Date: 14 March 2014 - 1:53 PM

SURVEY CONTROL NOTES		POTHOLE SCHEDULE						
BENCHMARK POINT #5180: CUTX IN THE CONCRETE SIDEWALK AT THE INTERSECTION OF BAY AVENUE AND CENTER STREET IN THE COUNTY OF SANTA CRUZ BENCHMARK #588 DESCRIBED AS BRASS CAP NINE (9) FT SOUTH OF SOQUEL CREEK PUMP STATION, STAMPED 5/15/24 (10/21/2018) (CONSTRUCTION) POINT #5180 SHOWS AN ELEVATION OF 509 FEET (NS/D 29) CONTOUR INTERVAL = 1 FOOT DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF THESE PLOTS AND SURVEY WAS CONDUCTED BY ROYAN ANJUS WILLIAMS CONSULTING CIVIL ENGINEERS WITH ADDITIONAL INPUT FROM THE COUNTY OF SANTA CRUZ. THE SURVEY WAS COMPLETED IN SEPTEMBER 2013.								
POTHOLE NO.	STREET	CUT SIDE	ASPHALT	SOIL	UTILITY	MATERIAL	DEPTH	COMMENTS
1	Clares St & 48th Ave	1'x1'	7"	Silt, sand	36" Sanitary sewer	Red clay	56"	108" South of face of curb. 34" East of sanitary sewer manhole.
2	Clares St & 48th Ave	1'x1'	7"	Silt, sand	8" Water	AC	36"	124" Northwest of fire hydrant. 34" East of water valve.
3	Clares St & 48th Ave	1'x1'	7"	Silt, sand	6" Water	AC	37"	185" South of water valve. 57" Northwest of fire hydrant.
4	Clares St	1'x1'	7"	Silt, sand	8" Water	AC	47"	101" North of face of curb. 39" East of face of curb.
5	Clares St	1'x1'	7"	Silt, sand	27" Sanitary sewer force main	Clay	69"	120" South of edge of curb. 132" Southwest of sanitary sewer manhole.
7	Clares St	1'x1'	10"	Silt, sand	27" Sanitary sewer force main	Concrete	39"	218" South of face of curb. 180" West of crosswalk.
8	Wharf Rd	1'x1'	10"	Hard dirt, rock	2" Gas	Plastic	27"	31" North of crosswalk. 68" East of face of curb.
9	Wharf Rd	1'x1'	10"	Silt, sand	12" Water	AC	44"	131" North of crosswalk. 112" East of face of curb.
10	Wharf Rd	1'x1'	10"	Silt, sand	27" Sanitary sewer force main	Concrete	85"	165" South of water meter. 188" West of face of curb.
11	Shopping Center	1'x1'	5"	Silt, sand	3" Water	Concrete	20"	73" West of manhole. 70" North of face of curb.
12	Shopping Center	1'x1'	5"	Hard dirt	6" Elec. and Tele.	Steel	58.5"	152" North of storm drain manhole. 120" East of storm drain manhole. There are two different manholes.

SEE DRAWINGS C-102 THROUGH C-105 FOR POTHOLE LOCATIONS



SURVEY CONTROL DIAGRAM



SURVEY CONTROL DIAGRAM

90% SUBMITTAL

Santa Cruz County Sanitation District
 Soquel Pump Station Force Main Replacement Project
SURVEY CONTROL DIAGRAM AND POTHOLE SCHEDULE

Client: Santa Cruz County Sanitation District
 Project: Soquel Pump Station Force Main Replacement
 Title: SURVEY CONTROL DIAGRAM AND POTHOLE SCHEDULE
 Contact No.: 841.0698
 Date: March 2014

Drawn: SD
 Designer: CL
 Drafting: BT
 Check: TW/MS
 Approved: (Signature)
 Date: March 2014

Scale: AS SHOWN
 Date: March 2014
 Drawing No.: G-003

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Revision		Date

No. Revision Date
 1 1/18/14
 2 1/22/14
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Item #: 4.B. Soquel Creek Pump Station Plans.pdf

SHEET GENERAL NOTES

1. SEE SPECIFICATION SECTION 16.0 FOR STORMWATER MANAGEMENT REQUIREMENTS. THE PROJECT IS CONSIDERED A RISK LEVEL 2.
2. CONTRACTORS SHALL BE RESPONSIBLE FOR PROVIDING ALL UTILITIES, FENCING AND SECURITY OF THE SITE AREA.

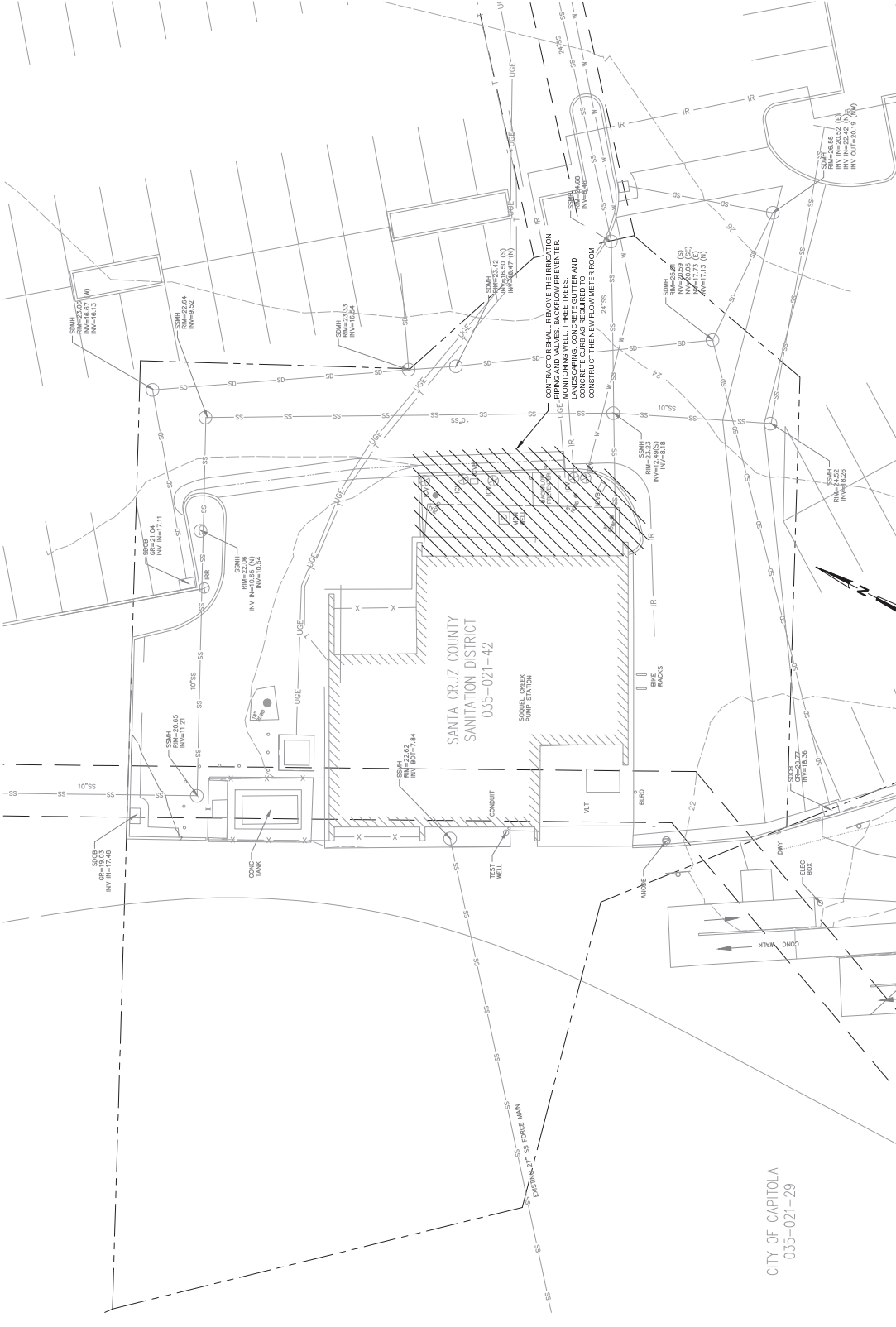


STAGING AREA PLAN

90% SUBMITTAL Santa Cruz County Sanitation District Soquel Pump Station Force Main Replacement Project STAGING AREA PLAN Contract No. 8410698 APN ID Drawing No: G-004		Client: Santa Cruz County Sanitation District Project Title: Soquel Pump Station Force Main Replacement Project Contract No.: 8410698 APN ID: [blank]	Designer: PHJ Design Check: THW/MS Date: March 2014	Drawn: SD Drafting: BT Approved: [blank] Date: [blank]	GHD Inc. 2285 Mariposa Way, Suite 400, Santa Rosa, California 95407 USA T: 707.529.1010 F: 707.527.8979 www.ghd.com	Review of Requirements: The drawings and all associated information provided herein are the property of GHD Inc. and shall remain confidential and not be used for any other project without the written consent of GHD Inc. 2012	Date: [blank] By: [blank] Title: [blank]	Date: [blank] By: [blank] Title: [blank]	Date: [blank] By: [blank] Title: [blank]	Date: [blank] By: [blank] Title: [blank]
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SHEET GENERAL NOTES

1. CONTRACTOR SHALL COORDINATE WITH THE RED TREE PROPERTIES' ENGINEER AND SOQUET CREEK PUMP STATION ENGINEER TO REMOVE ALL SALVAGE VALVES AND CAP IRRIGATION PIPING.
2. CONTRACTOR SHALL OBTAIN A WELL DECONSTRUCTION PERMIT IN ACCORDANCE WITH THE COUNTY OF SANTA CRUZ ENVIRONMENTAL HEALTH SERVICES (031-456-2748).



90% SUBMITTAL

Santa Cruz County Sanitation District
 Soquel Creek Pump Station Force Main Replacement Project
 SOQUEL CREEK PUMP STATION
 SITE DEMOLITION PLAN

Client	Santa Cruz County Sanitation District
Project	Soquel Creek Pump Station Force Main Replacement Project
Title	SOQUEL CREEK PUMP STATION SITE DEMOLITION PLAN
Contract No.	8410698
Drawn By	AS SHOWN
Checked By	AS SHOWN
Design	TH/MS
Check	TH/MS
Approved	AS SHOWN
Date	March 2014
Scale	AS SHOWN
Sheet No.	D-101
Drawn By	AS SHOWN
Checked By	AS SHOWN
Design	TH/MS
Check	TH/MS
Approved	AS SHOWN
Date	March 2014
Scale	AS SHOWN
Sheet No.	D-101

GHD Inc.
 2280 Mariposa Way, Suite 500, Santa Rosa, California 95407 USA
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GHD

Issue of Requirements
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No.	Revision	Date	By	Check

Drawn By	AS SHOWN
Checked By	AS SHOWN
Design	TH/MS
Check	TH/MS
Approved	AS SHOWN
Date	March 2014
Scale	AS SHOWN
Sheet No.	D-101

City of Capitola
 035-021-29

Site Demolition Plan

Item #: 4.B. Soquel Creek Pump Station Plans.pdf

SHEET GENERAL NOTES

1. BACKGROUND PROVIDED BY SANTA CRUZ COUNTY SANITATION DISTRICT. CONTRACTOR SHALL VERIFY EXISTING FIELD CONDITIONS PRIOR TO START OF WORK AND NOTIFY THE DESIGNER OF ANY DISCREPANCIES.
2. ALL WORK SHALL BE TO REMAIN UNLESS SHOWN OTHERWISE. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE DURING CONSTRUCTION.
3. SEE M302 FOR NEW PIPING AND VALVE INSTALLATION.
4. CUT AND REMOVE THE EXISTING PIPE, AS NECESSARY TO INSTALL 1.



SOQUEL CREEK PUMP STATION PUMP ROOM DEMOLITION PLAN

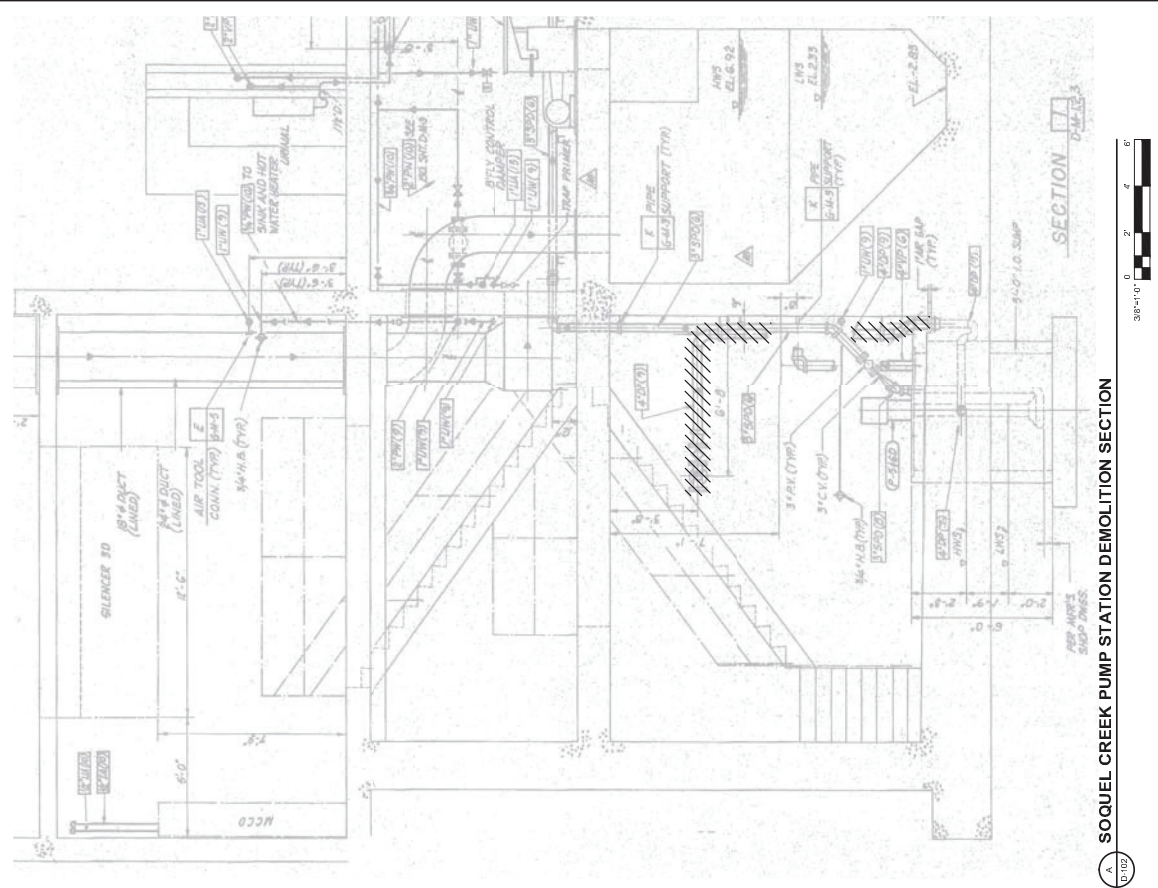
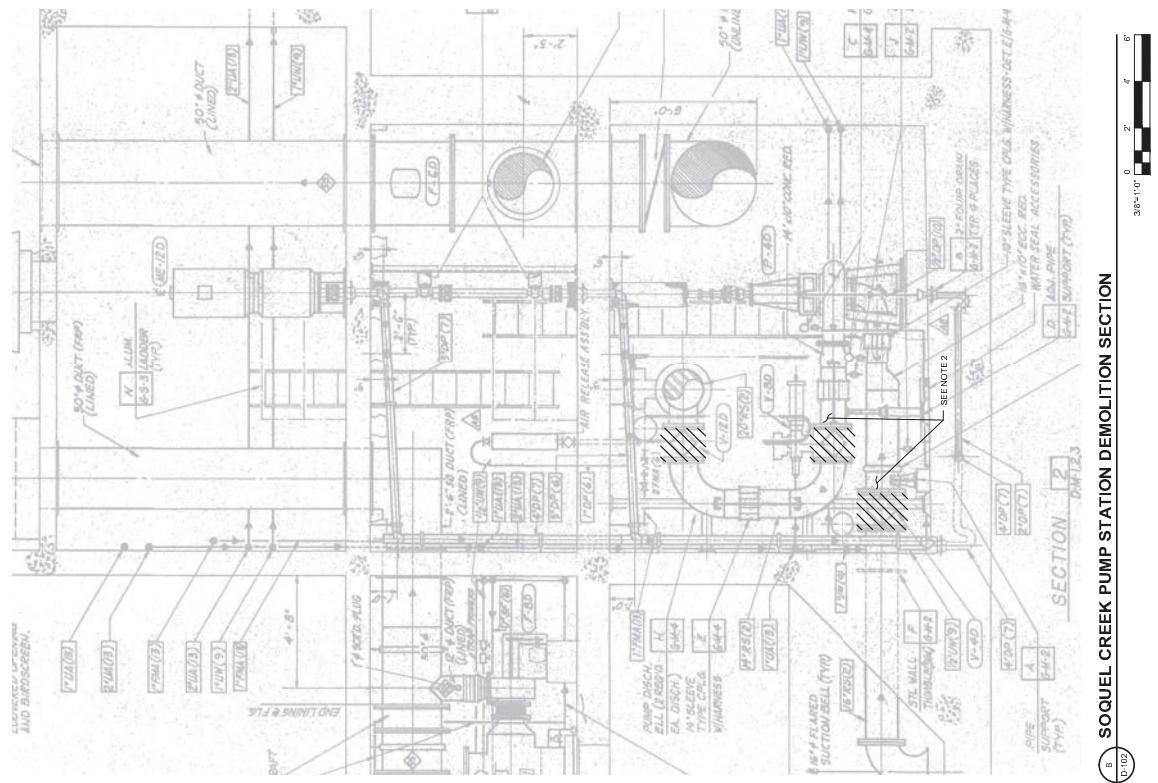
		90% SUBMITTAL	
Client: Santa Cruz County Sanitation District Project: Soquel Pump Station Force Main Replacement Project Title: SOQUEL CREEK PUMP STATION PUMP ROOM DEMOLITION PLAN Contract No: 8410698		Designer: NK Design Check: TW/MS Drafting: BT Approved (Date/Signature): [Blank] Scale: AS SHOWN Date: March 2014	
GHD Inc. 2280 Mariposa Way, Suite 100, Santa Cruz, California 95067 USA T: 707.253.1010 F: 707.257.9879 W: www.ghd.com		Ansel D. Drawing No: D-102 Rev: 05	
Revision: [Blank] Date: [Blank]	Drawn: [Blank] Checked: [Blank]	Date: [Blank]	Date: [Blank]
Project No: 01118P - Soquel Creek Sanitation District Force Main Replacement Project Cell No: 01118P - Soquel Creek Sanitation District Force Main Replacement Project			

SHEET GENERAL NOTES

- BACKGROUND PROVIDED BY SANTA CRUZ COUNTY TRANSMISSION FACILITY SOQUEL CREEK PUMP STATION AS BUILT'S DATED 1986. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS PRIOR TO START OF WORK AND NOTIFY THE DISTRICT OF ANY DISCREPANCIES.
- SEE M302 FOR NEW PIPING AND VALVES INSTALLATION.

SECTION NOTES

- SECTIONS TYPICAL OF ALL FOUR PUMPS.
- FIELD PIPING DOES NOT MATCH BACKGROUND IN THIS AREA. SEE M302 FOR PHOTOS OF EXISTING INSTALLATION.



90% SUBMITTAL

SOQUEL CREEK PUMP STATION DEMOLITION SECTION

Client	Santa Cruz County Sanitation District
Project	Soquel Pump Station Force Main Replacement Project
Title	SOQUEL CREEK PUMP STATION PUMP ROOM DEMOLITION SECTIONS
Contract No.	8410698
Drawn	AS SHOWN
Design	THWISS
Check	THWISS
Scale	AS SHOWN

ANSI D Drawing No: D-301

Scale: 3/8" = 1'-0"

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Scale: 3/8" = 1'-0"

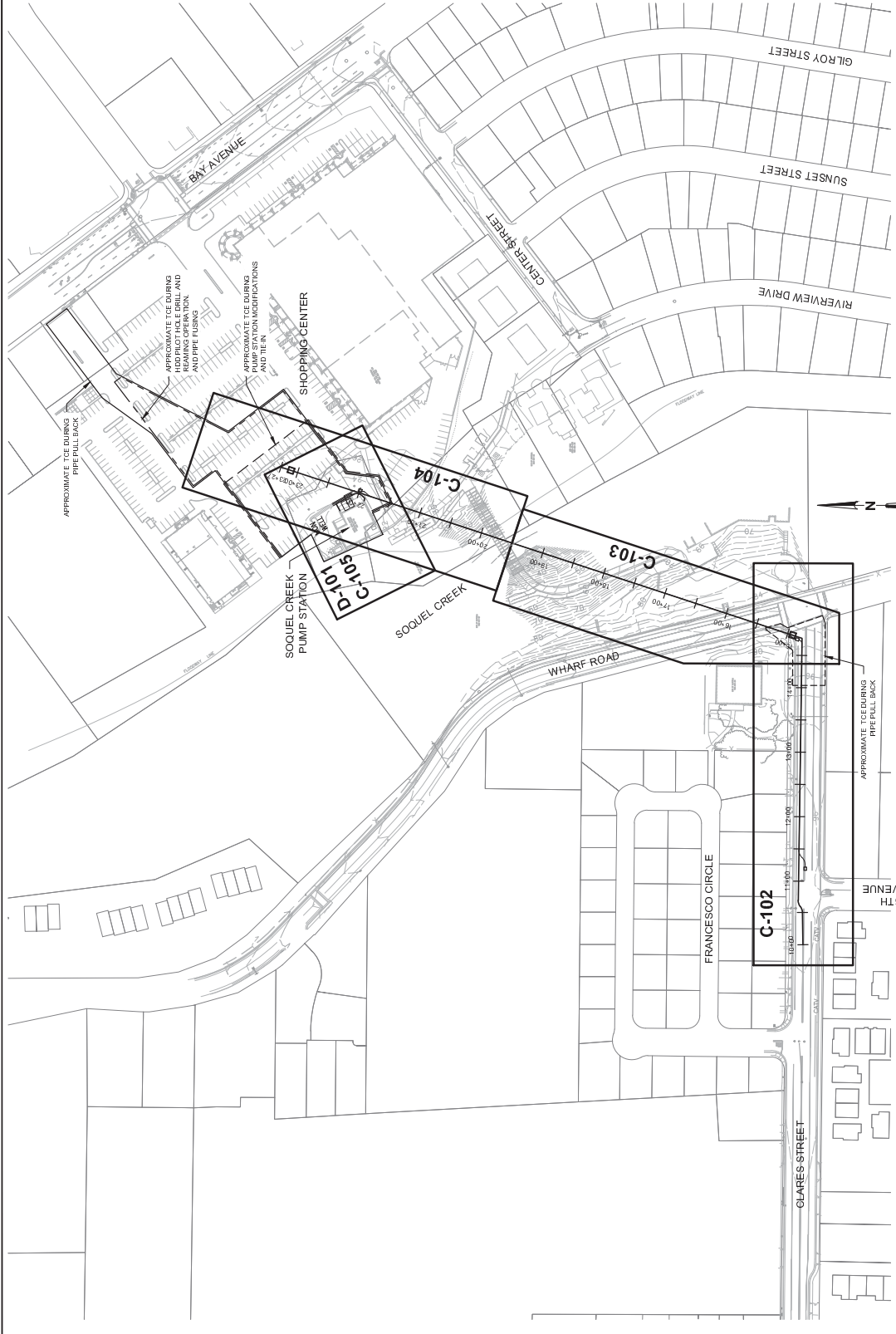
Item #: 4.B. Soquel Creek Pump Station Plans.pdf

SHEET GENERAL NOTES

1. SEE PLOT THROUGH TIEOUT FOR CONSTRUCTION PHASING AND TRAFFIC CONSTRAINTS.

SHEET LEGEND

- APPROXIMATE TIE DURING PIPE PULL BACK
- APPROXIMATE TIE DURING HDD PILOT HOLE D AND REMAINING OPERATION, AND PIPE FUSING
- APPROXIMATE TIE DURING PUMP STATION ADJUSTATIONS AND TIE IN
- APPROXIMATE TIE DURING PIPE PULL BACK (GLARES STREET)



SITE PLAN, KEY MAP, AND TEMPORARY CONSTRUCTION EASEMENTS

90% SUBMITTAL

Client: Santa Cruz County Sanitation District
 Project: Soquel Pump Station Force Main Replacement Project
 Title: **SITE PLAN, KEY MAP, AND TEMPORARY CONSTRUCTION EASEMENTS**
 Contract No: 8410698
 Date: March 2014

Drawn: SD	Designer: NK
Checked: BT	Design Check: TW/MS
Approved: [Signature]	Approved Date: March 2014
Scale: AS SHOWN	Scale: AS SHOWN

GHD Inc.
 2280 Mariposa Way, Suite 500, Santa Rosa, California 95407 USA
 T: 707.529.1000 F: 707.527.8979
 www.ghd.com

Revision	Date	By	Check

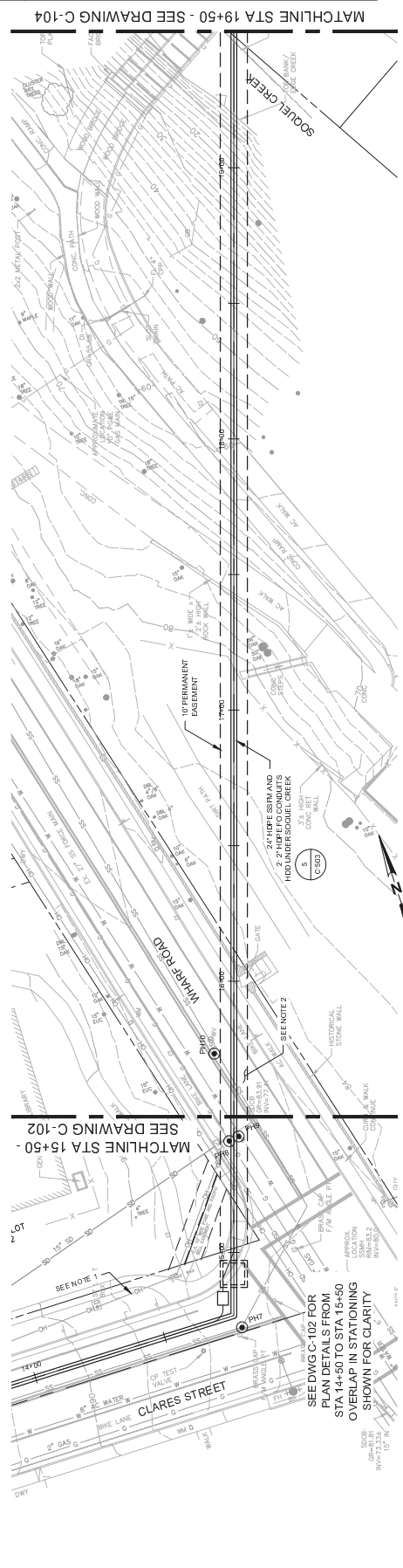
Issue of Documents:
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Cal. Reg. No.: 011182P - San Jose
 Project No.: 8410698
 Sheet No.: 4B-100000-010000-010000

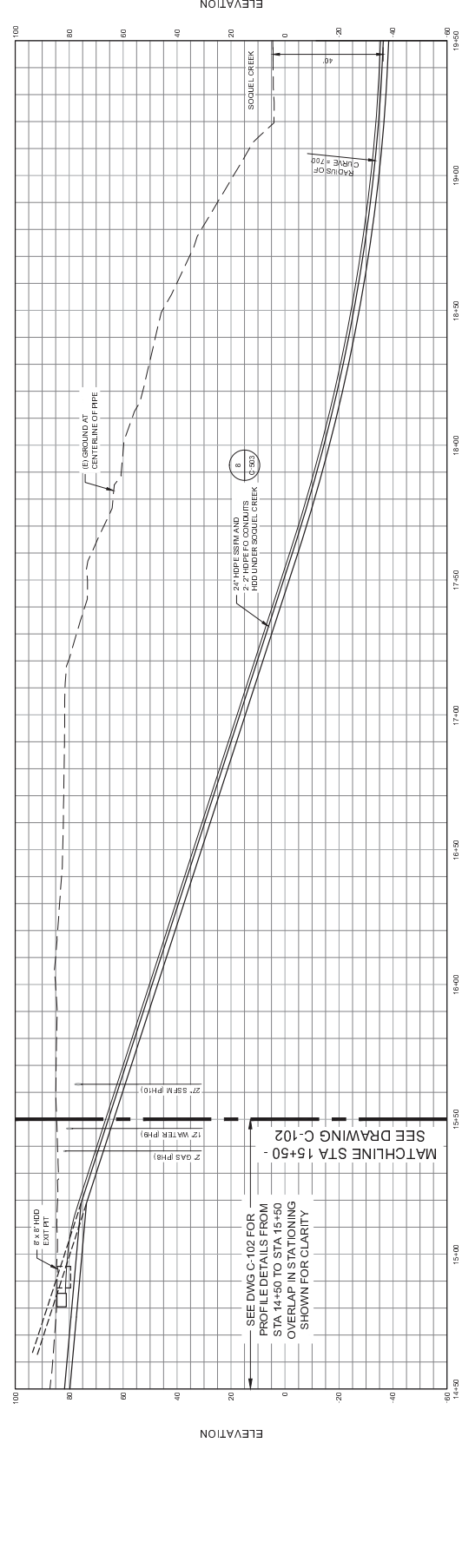
Client: Santa Cruz County Sanitation District
 Project: Soquel Pump Station Force Main Replacement Project
 Title: **SITE PLAN, KEY MAP, AND TEMPORARY CONSTRUCTION EASEMENTS**
 Contract No: 8410698
 Date: March 2014

Client: Santa Cruz County Sanitation District
 Project: Soquel Pump Station Force Main Replacement Project
 Title: **SITE PLAN, KEY MAP, AND TEMPORARY CONSTRUCTION EASEMENTS**
 Contract No: 8410698
 Date: March 2014

- SHEET GENERAL N**
- CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL UTILITIES AND STRUCTURES IN THE VICINITY OF THE WORKING AREA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES IN THE VICINITY OF THE WORKING AREA.
 - FOR ALL CONSTRUCTION OPERATIONS TO BE PERFORMED OVER THE EXISTING PAVEMENT, THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES IN THE VICINITY OF THE WORKING AREA.
 - RESTORE THE SURFACE TO ORIGINAL OR BETTER CONDITION AFTER THE WORK IS COMPLETED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES IN THE VICINITY OF THE WORKING AREA.
 - CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES IN THE VICINITY OF THE WORKING AREA.



SEWER PLAN



SEWER PROFILE

90% SUBMITTAL

Santa Cruz County Sanitation District
Soquel Pump Station Force Main Replacement Project
SEWER PLAN AND PROFILE
STA 15+50 TO STA 19+50

Client	Designer	Drawn	Checked
Project	Design	Check	Check
Title	THWIS	THWIS	THWIS
Contract No.	8410698	March 2014	March 2014

GHD
 GHD Inc.
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Scale	AS SHOWN
Drawn by	AS SHOWN
Checked by	AS SHOWN
Date	March 2014

Revised	By	Date

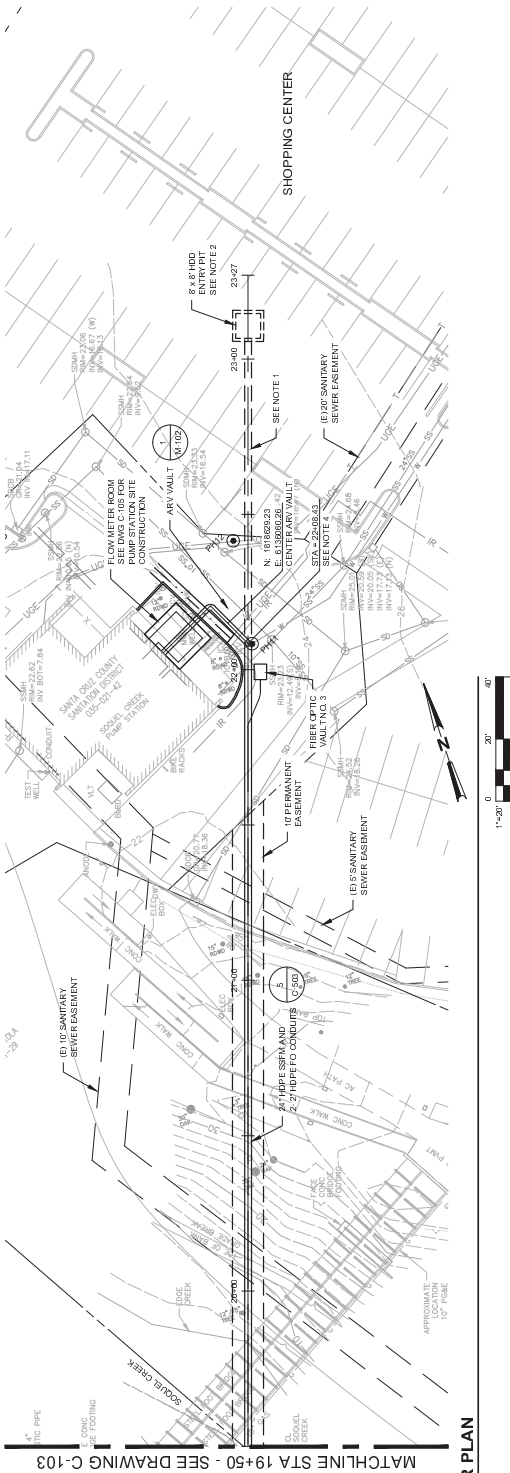
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SEE DWG C-102 FOR PROFILE DETAILS FROM STA 14+50 TO STA 15+50 OVERLAP IN STATIONING SHOWN FOR CLARITY

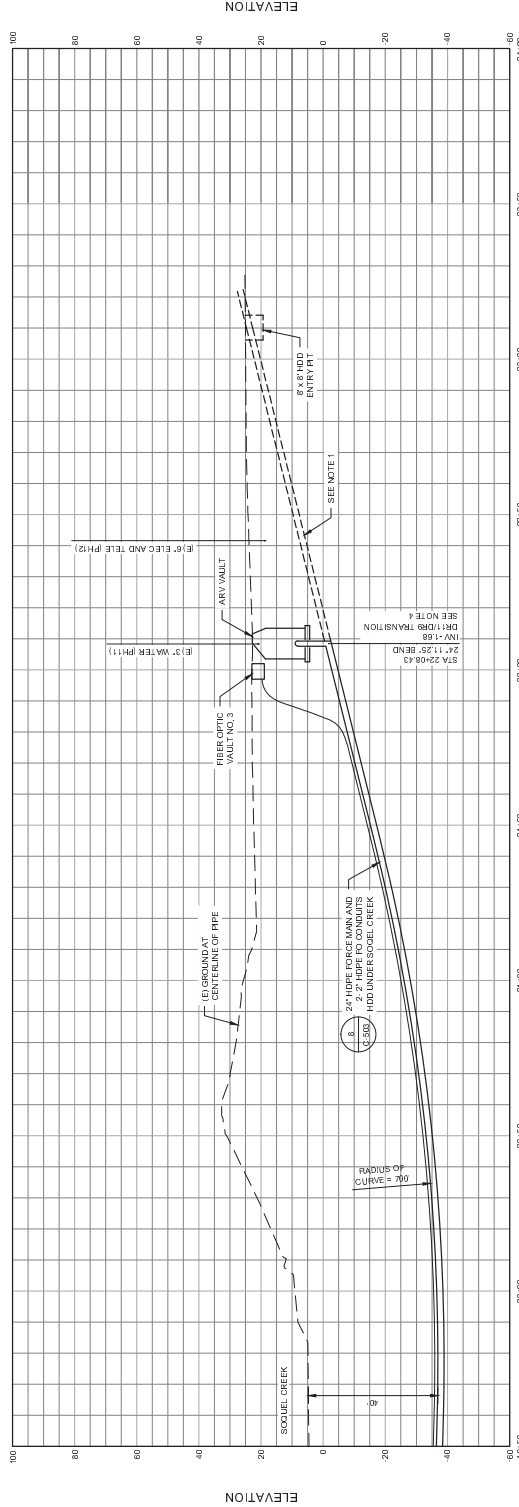
Issue of Documents	Date
The drawings are a preliminary design and are not to be used for construction without the approval of GHD Inc. and Santa Cruz County Sanitation District. All drawings are subject to change without notice.	

SHEET GENERAL NOTES

1. CONTRACTOR SHALL REMOVE EXISTING AND TO BE REPLACED MAIN ALIGNMENT FROM APPROXIMATE STA 22+48 TO STA 23+67 AND FILL SPACE WITH GROUT.
2. CONTRACTOR SHALL PLACE 1" THICK STEEL PLATES ACROSS THE EXISTING MAIN ALIGNMENT TO BE REPLACED TO MAINTAIN TO MAINTAIN EXISTING DRAINAGE AND TO BE CENTERED OVER THE HDD ALIGNMENT WITH THE LONG END OF THE SECTION TO BE REPLACED TO THE HDD ALIGNMENT. SEE SPECIFICATION SECTION 19.1.2.2.
3. REPAIRS THE SURFACE TO THE EXTENT OF THE FOOT IN EACH DIRECTION UP TO TOTAL AFTER HDD OPERATION. NEW PAVEMENT PER DETAIL 7C-303. CONFORM TO EXISTING PAVEMENT.
4. STATION PIPING EXTENDS THROUGH ARV VAULT. SEE DWG M-102 FOR MORE INFORMATION.



SEWER PLAN



SEWER PROFILE

90% SUBMITTAL

Santa Cruz County Sanitation District
Soquel Pump Station Force Main Replacement Project
SEWER PLAN AND PROFILE
STA 19+50 TO END
 Contract No. 8410698

Client	Project	Designer	RK
Drawn	SD	Design	TH/MS
Checked	BT	Check	
Approved	AS SHOWN	Date	March 2014

Scale: AS SHOWN
 Date: March 2014
 Project: Soquel Pump Station Force Main Replacement Project
 Contract No. 8410698



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No.	Revision	Date	By	Check

Scale: AS SHOWN
 Date: March 2014
 Project: Soquel Pump Station Force Main Replacement Project
 Contract No. 8410698

**Soquel Creek Force Main Replacement Project
#14-096
Coastal Permit Findings**

FINDINGS

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

Zoning Ordinance and General Plan

The project secures the purposes of the Zoning Ordinance and General Plan by replacing a vital utility line (sewer line force main) that is in need of replacement in order to prevent leaks and provide service to the city's existing uses.

Local Coastal Plan

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;

- Public access and recreation will not impacted.

(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. The purpose of the project is to replace an existing sewer lines.

(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);

- The proposed project will be within property owned by the Santa Cruz County Sanitation District, City owned parcels of land, and the city owned right-of-ways.

(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;

- While temporary delays will occur on certain city streets, the project will not impede the ability of the public to access 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.

- While temporary delays will occur on certain city streets, the project will not impede the ability of the public to access the shoreline.

(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;

b. Topographic constraints of the development site;

c. 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.

- No Management Plan is required; therefore these findings do not apply

(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;

Policy 17, Pg. 15 of the 1989 City General Plan, states that, "Areas designated as visitor serving and/or recreational shall be reserved for visitor support services or recreational uses. Permissible uses include, but are not limited to hotels, motels, hostels, campgrounds, food and drink service establishments, public facilities, public beaches, public recreation areas or parks, and related rental and retail establishments. Residential uses are also permitted on dual designated visitor-serving/residential parcels; specifically, a portion of the El Salto Resort, and in the Village area. Development can be accomplished through private or public means".

- The project complies with visitor-serving and recreational use policies in that it replacing and upgrading an existing public facility that provides utility service to existing visitor serving and/or recreational uses.

(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 will not permanently affect public or private parking, pedestrian access, or alternate mean of transportation as the construction will be temporary with nearly all of the resulting infrastructure being located underground.

(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 was reviewed by the City Public Works Director, as the majority of the work will be taking place underground within City owned property and the City of Capitola right of way. The work in the right of way will meet the applied street design guidelines and standards.

(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;

- No public landmarks are affected by the project. Impacts on views are temporary, limited to the presence of construction equipment and disturbance during work, as the improvements are largely underground. Therefore, 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 replacement of an existing sewer service, therefore this finding does not apply.

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

- The project is replacement of an existing sewer service, therefore this finding does not apply.

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

- The project is replacement of an existing sewer service, therefore this finding does not apply.

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

- The project is replacement of an existing sewer service, therefore this finding does not apply.

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

- The project is replacement of an existing sewer service, therefore this finding does not apply.

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

- A Mitigated Negative Declaration has been prepared and will be adopted by the applicant. The proposed mitigation measures ensure that the project complies with the natural resource, habitat and archaeological protection policies.

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

- A Mitigated Negative Declaration has been prepared and found that the project site does not support the habitat suitable for overwintering by monarch butterflies.

(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 will comply with all 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;

- The project complies with hazard protection policies and applies mitigation measures.

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

- The project is located underground and will not be a cause for a fire hazard.

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

- The proposed development is not located on the shoreline and therefore does not require compliance 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;

- The project is replacement of an existing sewer service, therefore this finding does not apply.

(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 is replacement of an existing sewer service, therefore this finding does not apply.

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

The project involves replacement of an existing sewer service that will be placed underground, therefore the character and integrity of the neighborhood will be maintained.

C. A Mitigated Negative Declaration has been prepared and adopted for this project based upon the completion of an Initial Study.

An Initial Study was prepared and circulated per CEQA requirements, and a Mitigated Negative Declaration with mitigation measures addressing potential impacts will be adopted based on the determination that the project will not have a significant effect on the environment.



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: JULY 17th, 2014

SUBJECT: **1440 41st AVENUE** **#14-075** **APN: 034-111-50**
Amendment to Master Sign Program (Four Starr Center) to allow an additional Verizon sign on the building located at 1440 41st Avenue in the CC (Community Commercial) zoning district.
This project is in the Coastal Zone, but does not require a Coastal Development Permit.
Environmental Determination: Categorical Exemption
Property Owner: Richard Starr
Representative: Chris Merrell (Northwest Signs), filed: 5/20/14

APPLICANT PROPOSAL

The applicant has submitted an amendment to the Master Sign Program (MSP) at the existing commercial plaza located at 1440 41st Avenue in the CC (Community Commercial) zoning district. The proposed amendment is to allow tenants who occupy more than one suite to have one wall sign per suite, as long as they are located in one of the two suites that front 41st Avenue. Verizon has previously installed one wall sign on the south-western side of their building. Verizon is now proposing to place an additional sign on the west side of the building. The additional wall sign requires an amendment to the MSP. The proposed amendment to the MSP is consistent with the General Plan and Zoning Ordinance.

DISCUSSION

Zoning Ordinance §17.57.080 outlines the process for adopting a MSP for multi-tenant developments. A MSP establishes the allowed materials, letter style, height, color and illumination of signs for multi-tenant buildings. A MSP is approved by the Planning Commission, with subsequent approvals administered by the Community Development Director or his designee for signs which comply with the program.

There is an existing MSP for the Four Starr Center located at 1440 41st Avenue. (Attachment C) The current MSP requires that each tenant be identified through a single sign with individually illuminated letters. The applicant is attempting to amend the Four Star Center MSP to allow for a tenant to erect an additional wall sign if the tenant expands their business into one of the corner units adjacent to 41st Avenue, as follows:

“Tenants on end-cap spaces facing 41st Avenue who expand their premises into contiguous adjacent units may be permitted, at Landlord’s sole discretion, to have one additional sign on the 41st Avenue side. Such signs shall meet the requirements and specifications set forth herein.” –C (Attachment C)

The owner of the multi-tenant commercial building is proposing to amend the master sign program to meet the requests of an existing tenant, Verizon Wireless, to allow for the corner units along 41st Avenue to be allowed 2 signs. In addition to the Verizon location, there is one other unit within the Four Starr Center that faces 41st Avenue which, if expanded, would qualify for the new amendment in the MSP to allow for a second wall sign.

Verizon has recently expanded into the adjacent “Little Caesars” restaurant, which is west of the previously located “Verizon” store and is adjacent to 41st Avenue. Verizon currently has a 10 square foot wall sign on the diagonal south-western side of the building. Verizon submitted a sign application to the Community Development Department on May 20th, 2014, which included a proposal for one additional 10 square foot flush-mounted sign to be located on the western wall (Attachment A). The new sign will contain the Verizon name and logo, matching the existing sign. The lettering will be front-lit L.E.D. channel letters that are 8.4 inches in height. The Verizon logo is proposed to be 15 inches in height, which is the maximum allowable height for sign elements in the Four Starr Center.

Staff had concerns with the original proposal due to the proposed placement of the second sign directly adjacent to the installed wall sign. This layout would clutter the front façade of the building, facing 41st Avenue. Due to this, staff could not support the proposal. The applicant has since modified the proposal to separate the two signs. The updated plans propose that one sign be located on the south side of the building, facing the parking lot, and the other remain on the diagonal south-west side, facing 41st Avenue. (Attachment B)

To clarify the allowed placement of the signs within the MSP, staff suggest adding the following underlined wording of the amended portion of the MSP to say, “Tenants on end-cap spaces facing 41st Avenue who expand their premises into contiguous adjacent units may be permitted, at Landlord’s sole discretion, to have one additional sign on the 41st Avenue side. The sign along 41st Avenue must be oriented on the diagonal elevation facing 41st Avenue. The second sign must be located in the original location above the door to the second suite. Such signs shall meet the requirements and specifications set forth herein.”

ANALYSIS

Zoning Ordinance §17.57.070 contains exceptions for signage that allow for a business to erect an additional sign, as follows:

“Each business shall be permitted only one wall sign, except that:

a. Businesses which are located adjacent to two streets (corner) shall be permitted one additional wall sign, to face the second adjacent street if the business is not identified on a monument sign.

b. Additional wall signs may be allowed under a master sign program.”

The project is not located at an intersection of two streets; however, the property is positioned so that one wall faces 41st Avenue and the other wall faces the parking lot of the Four Starr Center. Additionally, the Verizon store is not identified on a monument sign.

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 amendment to the master sign program for an existing commercial space. No adverse environmental impacts were discovered during project review by either the Planning Department Staff or the Planning Commission.

RECOMMENDATION

Staff recommends that the Planning Commission **approve** project application #14-075 based on the following Conditions and Findings for Approval.

CONDITIONS

1. All future signs at 1440 41st Avenue shall comply with the Master Sign Program. Individual sign permits may be issued by the Community Development Director or designee.
2. Prior to installation of a new sign, the applicant must obtain a permit from the Community Development Department and Building Department.
3. Prior to operation of a new business, the applicant shall obtain a business license from the City of Capitola.
4. Part 'C' of the Four Starr Center's MSP shall be amended to say, "Tenants on end-cap spaces facing 41st Avenue who expand their premises into contiguous adjacent units may be permitted, at Landlord's sole discretion, to have one additional sign on the 41st Avenue side. The sign along 41st Avenue must be oriented on the diagonal elevation facing 41st Avenue. The second sign must be located in the original location above the door to the second suite. Such signs shall meet the requirements and specifications set forth herein."

FINDINGS

- A. **The application, subject to the conditions imposed, will secure the purposes of the Zoning Ordinance and General Plan.**
Planning Staff and the Planning Commission have reviewed the application and determined that the proposed Master Sign Program amendment is allowed in the CC Zoning District. Future sign applications will comply with the requirements of the Master Sign Program. Conditions of approval have been included to ensure that future signs for the commercial suites are consistent with the Master Sign Program, Zoning Ordinance, and General Plan.
- B. **The application will maintain the character and integrity of the neighborhood.**
Planning Department Staff and the Planning Commission have reviewed the project and determined that the amended Master Sign Program complements the building form. The MSP establishes requirements for future signs that will maintain the character and integrity of this commercial center within the City of Capitola. 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 signs for an existing commercial space. No adverse environmental impacts were discovered during project review by either the Planning Department Staff or the Planning Commission.

Report Prepared By: Ryan Safty, Assistant Planner

Attachment A – Original Verizon Project Plans
Attachment B – Updated Verizon Project Plans
Attachment B – Redlined Master Sign Program

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GC Approval _____	DATE _____
LL Approval <i>Edward</i>	DATE <i>4/22/14</i>
Customer Approval _____	DATE _____

PROJECT # 130466

1440 41st Avenue, Suite B, Capitola, CA 95010

I D E N T I T Y • R E S O U R C E



PROJECT SCOPE OF WORK

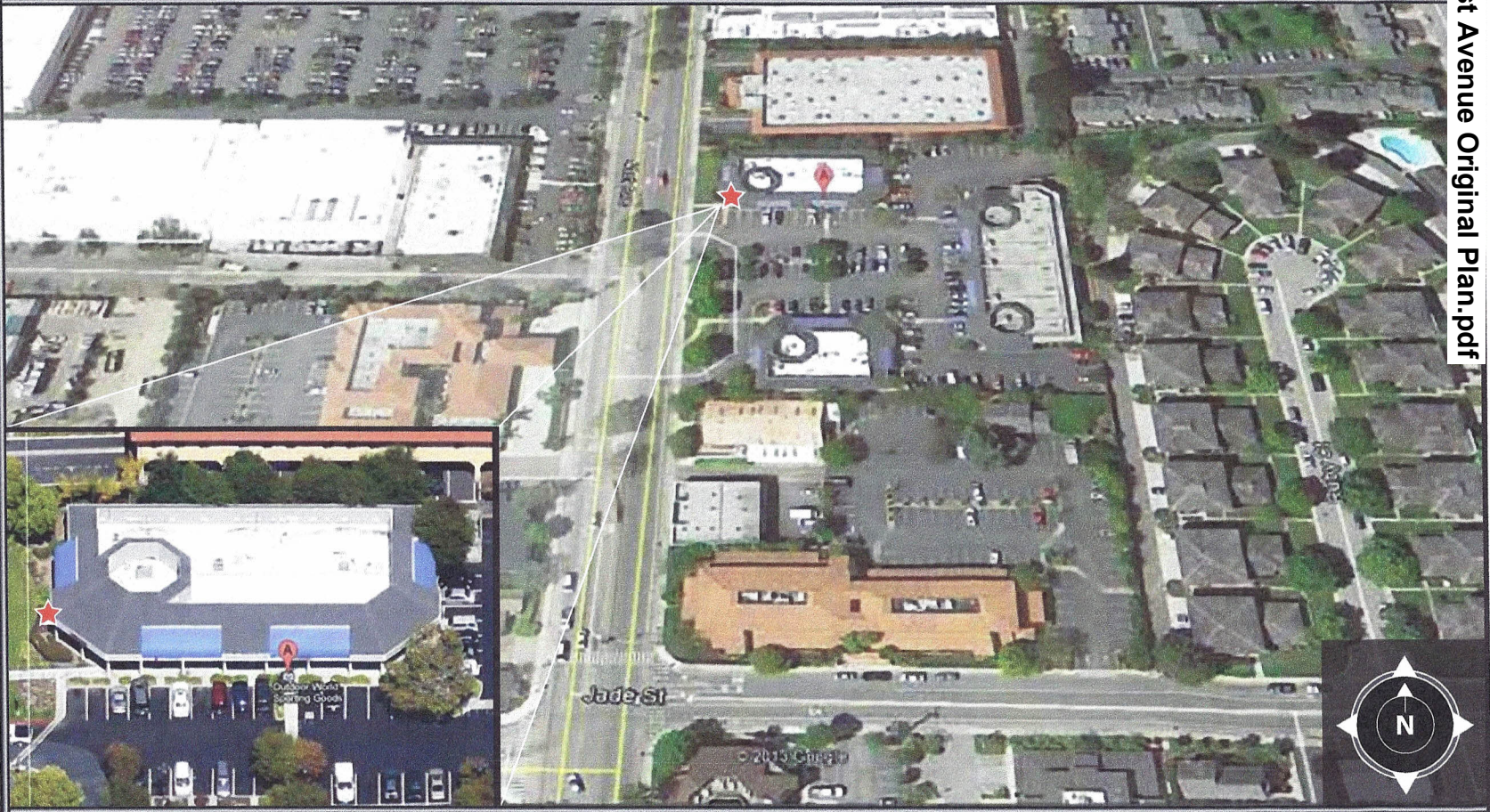
S.O.W.

GC Approval _____ DATE _____
 LL Approval *C Edwards* DATE *4/2*
 Customer Approval _____ DATE _____

CONTENTS • PG.

A. Side Elevation: LED Channel Letterset/ Flush Mounted	3
B. Sign Specs: LED Channel Letterset/ Flush Mounted	4

AERIAL OVERVIEW OF STORE w/ MAJOR ROAD INTERSECTIONS



SIGN LEGEND •

★	Proposed Signage
	N/A
	N/A
	N/A
	N/A
	N/A
	N/A
	N/A

BIRDS EYE VIEW

Revision Date: 06/27/13 Rev. Details: Contents Updated

1171 Tower Rd. Schaumburg, IL 60173 O: 847.301.0510 F: 847.301.0518 ideas@identiti.net	Project No: 130466	Proj. Location: 1440 41st Avenue, Suite B, Capitola, CA 95010
	Orig. Draft: 02/19/2013	Proj. Manager: Bob Cotton
	Page Rev: 004	Sales Rep: Lawrence Slcher

Scale: NTS Designer: Sarah Revision Art: Sarah



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SIDE STORE ELEVATION

S2-1

SIGN CODE •

Proposed Signage = 10 SqFt

Relevant Signage Code:

NTE 15" Character Height

Sign Calculation:

(H) x (L) of overall boxed dimensions

Four line contour box

SIGN TYPE •

L.E.D. Channel Letterset

MOUNTING •

Flush Mounted

COLOR PALETTE •

Black Trim & Returns

Red Acrylic # 2793

White Acrylic

N/A

N/A

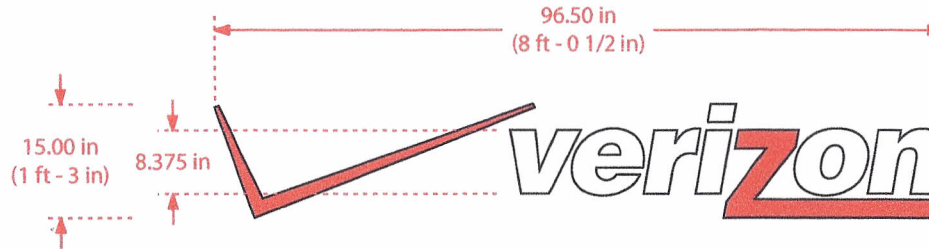
N/A

N/A

N/A



Remove existing signs



GC Approval	DATE
LL Approval <i>Cynthia Edward 4/1</i>	DATE
Customer Approval	DATE

****THIS SIGN WILL REQUIRE AN AMENDMENT TO THE MASTER SIGN PLAN****

Revision Date: 12/20/13 Rev. Details: New Layout

1171 Tower Rd.
Schaumburg, IL 60173
O: 847.301.0510
F: 847.301.0518
ideas@identiti.net

Project No:	130466	Proj. Location:	1440 41st Avenue, Suite B, Capitola, CA 95010
Orig. Draft:	02/19/2013	Proj. Manager:	Bob Cotton
Page Rev:	009	Sales Rep:	Lawrence Slcher

Scale: 1/2" = 12"

Designer: Sarah Revision Art: Jay

PROJECT

verizonwireless

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SIGN SPECIFICATIONS - LETTERSET

SPEC

SIGN CODE •

Proposed Signage = N/A

Relevant Signage Code:
not to exceed 60% of the elevation width
Sign Calculation:
(H) x (L) of overall boxed dimensions
Four line contour box

SIGN TYPE •

L.E.D. Channel Letterset

MOUNTING •

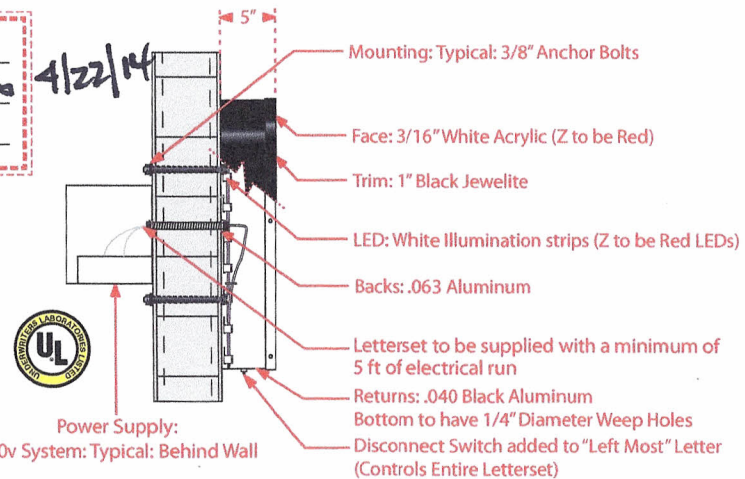
Flush Mounted

COLOR PALETTE •

Black Trim & Returns
Red Acrylic # 2793
White Acrylic
N/A
N/A
N/A
N/A
N/A
N/A



GC Approval _____ DATE _____
 LL Approval Agustina Edwards 4/22/14
 Customer Approval _____ DATE _____



*Note: All fasteners to be non-ferrous and all penetrations shall be sealed water tight

Front-Lit L.E.D Channel Letter - Flush Mount
 TYPICAL - Section Detail

Revision Date: 12/13/13 Rev. Details: New Logo

1171 Tower Rd.
 Schaumburg, IL 60173
 O: 847.301.0510
 F: 847.301.0518
 ideas@identiti.net

Project No:	130466	Proj. Location:	1440 41st Avenue, Suite B, Capitola, CA 95010
Orig. Draft:	02/19/2013	Proj. Manager:	Bob Cotton
Page Rev:	008	Sales Rep:	Lawrence Sicher

Scale: NTS Designer: Sarah Revision Art: Jay



This sign design is exclusive property of Identiti Resources, LTD., and is the result of the original and creative work of its employees. This drawing is submitted to the customer for the sole purpose of purchase of the design or signage manufactured to this design. By Identiti Resources, LTD. Distribution to or use of this sign design by anyone outside of the customer's organization, without expressed, written authorization by Identiti Resources, LTD. is prohibited.



VERIZON SIGNAGE PACKAGE



PROJECT # 130466

1440 41st Avenue, Suite B, Capitola, CA 95010

I D E N T I T Y • R E S O U R C E




PROJECT SCOPE OF WORK

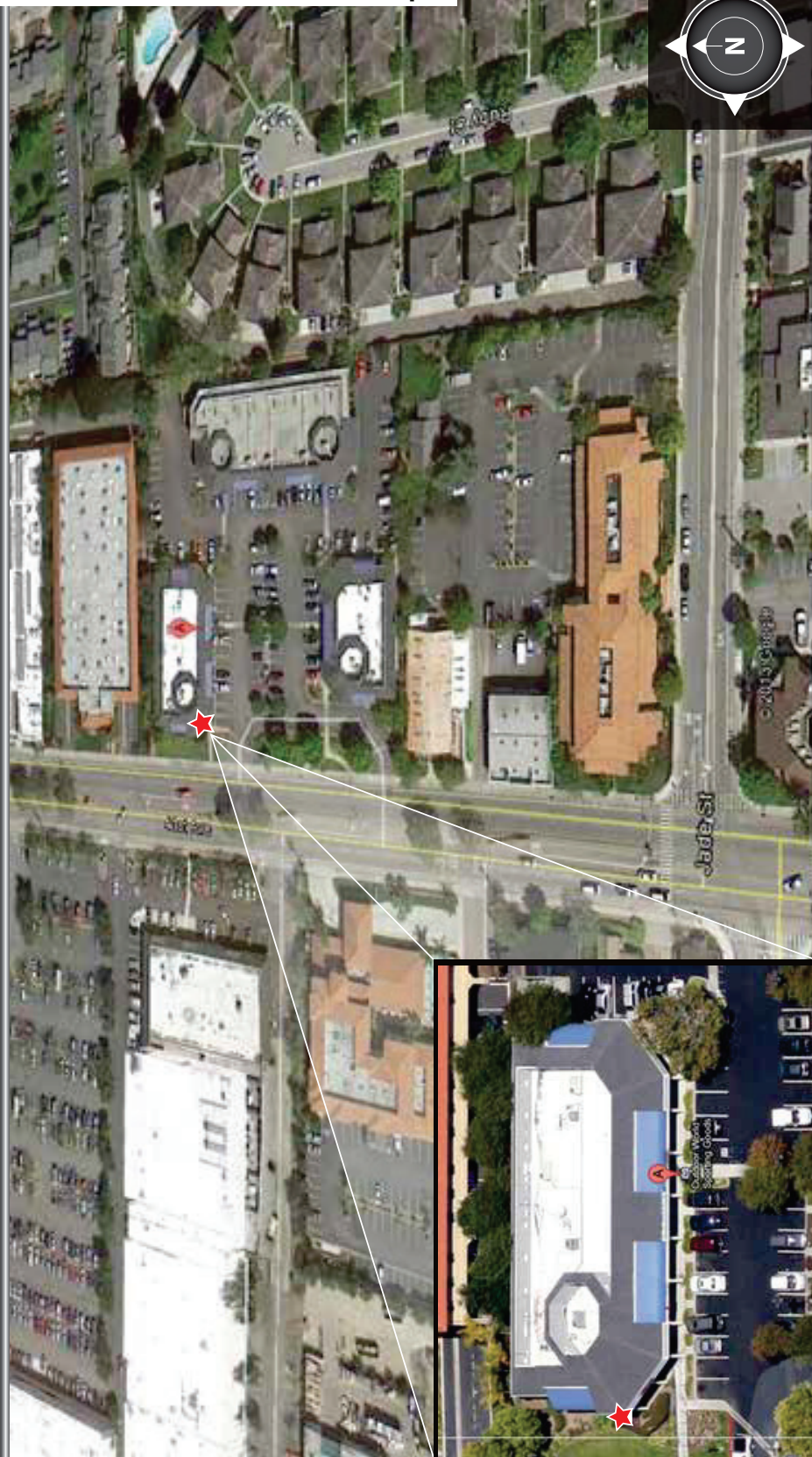
S.O.W.

PG.	CONTENTS
3	A. Side Elevation: LED Channel Letterset/ Flush Mounted
4	B. Sign Specs: LED Channel Letterset/ Flush Mounted

SIGN LEGEND

	Proposed Signage
	N/A
	N/A
	N/A
	N/A
	N/A
	N/A
	N/A

AERIAL OVERVIEW OF STORE w/ MAJOR ROAD INTERSECTIONS



BIRDS EYE VIEW

Revision Date: 06/27/13 Rev. Details: Contents Updated

1171 Tower Rd.
Schaumburg, IL 60173
O: 847.301.0510
F: 847.301.0518
ideas@identitti.net

Project No: 130466
Orig. Draft: 02/19/2013
Page Rev: 004

Proj. Location: 1440 41st Avenue, Suite B, Capitola, CA 95010
Proj. Manager: Bob Cotton
Sales Rep: Lawrence Sicher

Scale: NTS Designer: Sarah Revision Art: Sarah



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PROJECT



FRONT STORE ELEVATION

S1-1

SIGN CODE •

Proposed Signage = 10 SqFt

Relevant Signage Code:
NTE 15" Character Height
Sign Calculation:
(H) x (L) of overall boxed dimensions
Four line contour box

SIGN TYPE •

L.E.D. Channel Letterset

MOUNTING •

Flush Mounted

COLOR PALETTE •

Black Trim & Returns

Red Acrylic # 2793

White Acrylic

N/A

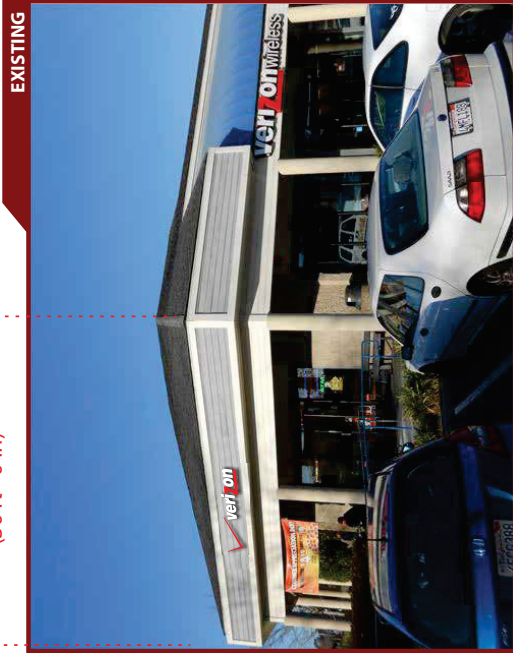
N/A

N/A

N/A

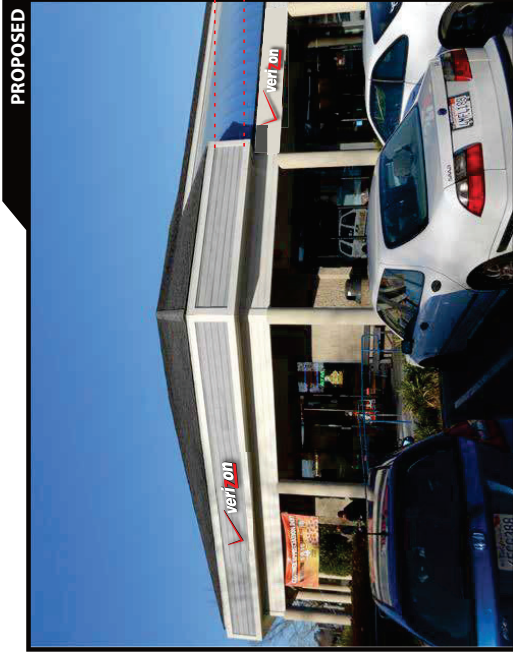
N/A

360 in
(30 ft - 0 in)

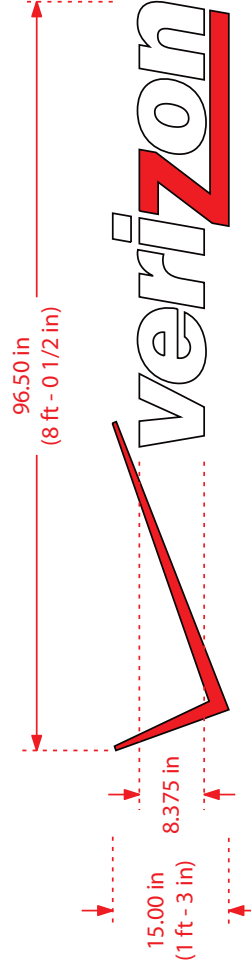


EXISTING

24 in



PROPOSED



Revision Date: 12/13/13 Rev. Details: New Logo

1171 Tower Rd.
Schaumburg, IL 60173
O: 847.301.0510
F: 847.301.0518
ideas@identitti.net

Project No: 130466
Orig. Draft: 02/19/2013
Page Rev: 008

Proj. Location:
Proj. Manager:
Sales Rep:

1440 41st Avenue, Suite B, Capitola, CA 95010
Bob Cotton
Lawrence Sicher

Scale: 3/4" = 12"

Designer: Sarah
Revision Art: Jay

PROJECT

verizon wireless

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SIGN SPECIFICATIONS - LETTERSET

SPEC

SIGN CODE •

Proposed Signage = N/A

Relevant Signage Code: not to exceed 60% of the elevation width
 Sign Calculation: (H) x (L) of overall boxed dimensions
 Four line contour box

SIGN TYPE •

L.E.D. Channel Letterset

MOUNTING •

Flush Mounted

COLOR PALETTE •

Black Trim & Returns

Red Acrylic # 2793

White Acrylic

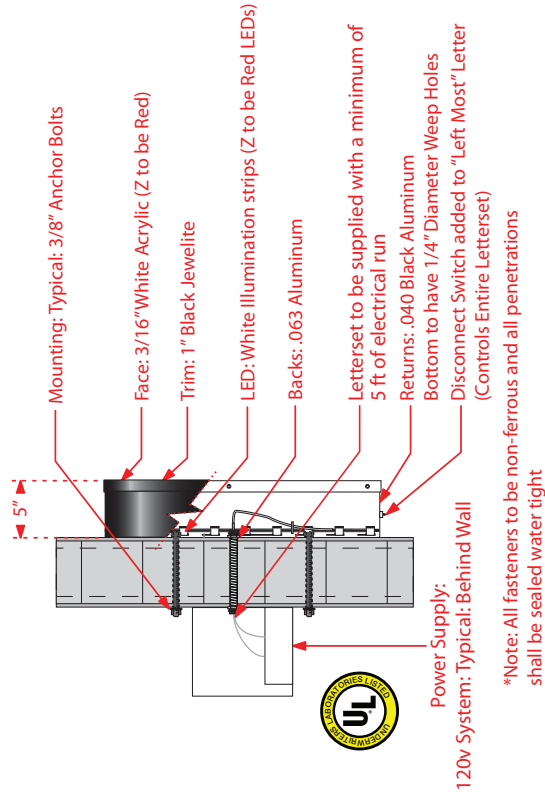
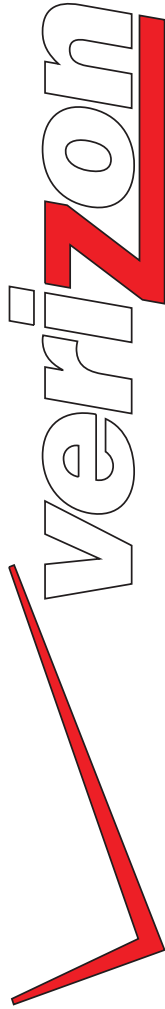
N/A

N/A

N/A

N/A

N/A



Power Supply:
 120v System: Typical: Behind Wall

*Note: All fasteners to be non-ferrous and all penetrations shall be sealed water tight

Front-Lit L.E.D Channel Letter - Flush Mount
 TYPICAL - Section Detail

Revision Date: 12/13/13 Rev. Details: New Logo

1171 Tower Rd.
 Schaumburg, IL 60173
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Proj. Location: 1440 41st Avenue, Suite B, Capitola, CA 95010
 Proj. Manager: Bob Cotton
 Sales Rep: Lawrence Sicher

PROJECT

Scale: NTS Designer: Sarah Revision Art: Jay

The sign design is and will be the property of Identitti Resources, LTD. and will be the work of the contractor and its employees. This drawing is submitted to the customer for the sole purpose of purchase of the design or signage manufactured to this design by Identitti Resources, LTD. Distribution or use of this sign design by anyone outside of the customer's organization, without expressed, written authorization by Identitti Resources, LTD. is prohibited.



EXHIBIT B

SIGN PROGRAM

The following represents the criteria for an overall sign program for FOUR STAR CENTER. Any installed non-conforming or unapproved sign must be brought to conformance at the non-conforming occupant's expense.

GENERAL CRITERIA

1. General Requirements:

- a. All signs shall be in conformance with this Exhibit "B".
- b. One approved sign designating Tenant's trade name. Said sign shall be constructed of individually lighted letters that conform to Four Star Center criteria and Capitola City requirements, to be completed and operable within ninety (90) days of occupancy as determined by this Lease.
- c. *Tenants on end-cap spaces facing 41st Avenue who expand their premises into contiguous adjacent units may be permitted, at Landlord's sole discretion, to have one additional sign on the 41st Avenue side. Such signs shall meet the requirements and specifications set forth herein.*
- d. Each tenant shall submit or cause to be submitted to the Landlord for approval, before fabrication, at least three (3) copies of detail drawings including all lettering and/or graphics. All face changes shall also require approval.
- e. All permits for signs and their installation shall be obtained by the occupant or his representative at his expense.
- f. Tenant shall be responsible for the fulfillment of all requirements and specifications.

2. Design Requirements:

- a. Signs shall be permitted only within the areas as designated from time to time by Landlord.
- b. The maximum length of sign shall not exceed 60% of a store's frontage.
- c. Heights of signs shall be as designated from time to time by Landlord, and in no event shall any element of the sign be larger than fifteen (15) inches in height.
- d. No signs of any sort shall be permitted on building roof.
- e. Wording of sign shall not include the product sold except as a part of the Tenant's trade name or insignia.

3. General Specifications:

- a. Painted lettering will not be permitted.
- b. Flashing, moving, or audible signs will not be permitted.
- c. All electrical signs shall bear the UL Label, and their installation must comply with all local building and electrical codes.

- d. No exposed conduit, tubing or raceways will be permitted except with prior written permission of Landlord.
- e. No exposed neon lighting shall be used on signs, symbols or decorative elements.
- f. All conductors, transformers and other equipment shall be concealed.
- g. Electrical service to all signs shall be on occupant's meters and shall be part of occupant's construction and operation cost.
- h. All bolts, fastenings, clips, etc., shall be painted consistent with the surrounding surface.
- i. No sign maker's label or other identification will be permitted on the exposed surface of sign, except those required by local ordinance which later shall be placed in an inconspicuous location.
- j. All penetrations of the building structure required for sign installation shall be neatly sealed in a watertight condition.
- k. Sign contractor shall repair any damage to any work caused by his work. Damage to structure that is not repaired by the sign contractor shall become the Tenant's responsibility to correct.
- l. Tenant shall be fully responsible for the operations of occupant's sign contractor.
- m. The maximum output for sign lamps shall not exceed 800 milliamps.

4. Miscellaneous Requirements:

- a. Each tenant will be permitted to place upon each entrance of its Premises not more than 144 square inches of gold leaf or decal application lettering, not to exceed four inches (4") in height, indicating hours of business, emergency telephone number, etc.
- b. Each tenant who has a non-customer door for receiving merchandise may have uniformly applied on said door, in location as directed by the project architect, in six inch (6") high block letters, the occupant's name and address. Where more than one owner uses the same door, each owner's name and address shall be applied. Color of letters will be selected by the project architect.

5. Temporary Signs:

- a. "Temporary" shall mean an installation which is not permanent, used for a special event, and shall not remain in place longer than 30 consecutive calendar days.
- b. Tenant may be permitted to have temporary window signs which do not exceed 15% of its total window area. Window signs shall be mounted on the interior face of the glass.
- c. Tenant shall be permitted a temporary banner to advertise a "Grand Opening". The sign shall not exceed 16 square feet and shall be placed above the entrance to the store.
- d. No "A" frame signs shall be permitted under any circumstances.



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: JULY 17, 2013

SUBJECT: **1649 41st Ave #14-076 APN: 034-151-09**
Sign Permit for new monument sign with LED lettering at the Shell Gas Station, located in the CC (Community Commercial) Zoning District.
This project is not in the Coastal Zone and does not require a Coastal Development Permit.
Environmental Determination: Categorical Exemption
Property Owner: Peninsula Petroleum LLC
Representative: Hillary McClurg, filed 5/21/14

APPLICANTS' PROPOSAL

The applicant is proposing to replace three existing signs at the Shell Gas Station located on the corner of 41st Avenue and Capitola Road in the CC (Community Commercial) Zoning District. The existing wall signs and monument sign were approved in 2002. The applicant is proposing changes to the two wall signs located on the existing canopies and the monument sign on the front corner of the property.

DISCUSSION

The applicant is proposing to update three signs onsite, including: the monument sign at the front corner of the property and the two wall signs located on the existing canopies. The new wall signs fit within the existing signs and do not require approval by the Planning Commission. The applicant will be replacing the existing "SHELL" lettering on each of the canopies with the Shell logo. The renovations will also update the exterior of the canopies including the addition of an internally lit red band around each canopy. Architectural illumination is not regulated within the Capitola sign code. The applicant is proposing individually lit LED letters on the new monument sign which requires approval from the Planning Commission.

Monument Sign

There is an existing monument sign located on the corner of 41st Avenue and Capitola Road. The existing monument sign is approximately 8 feet tall by 12 feet wide for a total of 96 square feet. The internally illuminated shell logo is located on the left side of monument sign. The right side of the sign lists the rating of each type of fuel offered and the per gallon pricing. The description of the fuel (regular, plus, v-power, and diesel) are permanent with individual internally-illuminated, off-white lettering within a gray, opaque background. The pricing is updated manually with changeable copy numbering. The changeable copy signs are switched out by employees to reflect current pricing of gasoline and diesel.

The applicant is requesting approval of a new monument sign to replace the existing sign in the same location. The new monument sign will be the exact size as the existing sign. The one modification is that the applicant is requesting digital LED lights for the pricing display. Within

the sign code, internal illumination is limited to the use of individually lighted letters with opaque or wood background materials, as follows:

§17.57.070.A.7, Monument Sign “The use of wood materials shall be encouraged with provisions for indirect lighting permitted. Internally lit signs shall be limited to the use of individually lighted letters with opaque or wood background materials.”

The applicant is requesting that the Planning Commission consider the application of LED digital lighting to meet the intent of the required individually lighted letters although not on an opaque or wood background material as required. The digital LED lights will have the appearance of individual illumination while creating an easier means to manage price changes automatically. Allowing the LED lights will create a digital aesthetic along 41st Avenue.

Staff has concerns for allowing LED lighting on the monument sign. The code currently does not allow for LED lighting and prior to making a decision on one application staff recommends that LED signs be considered holistically during the sign code update in the coming year. Allowing an exception for one sign would set a precedent premature of the new sign code. The use of digital LED signs in the future may be appropriate along 41st Avenue, but not within other areas of Capitola, such as the CN (Neighborhood Commercial) or CV (Central Village) zoning districts. Also, LED signs may be appropriate for gas station monument signs but not appropriate within typical shopping center monument signs. LED imaging is digital and therefore has the ability to appear animated and move, which is currently prohibited within the sign code.

If the Planning Commission were to deny the application for LED lettering, the applicant would be allowed to install updated changeable copy signs, similar to those utilized within the existing sign, within an administrative sign permit.

CEQA

This project is categorically exempt under Section 15301 of the California Environmental Quality Act. The proposed project involves a monument sign for an existing commercial space. No adverse environmental impacts were discovered during project review by either the Community Development Department Staff or the Planning Commission.

RECOMMENDATION

Staff recommends that the Planning Commission **deny** application #14-076, subject to the following findings:

FINDINGS

A. The application will not maintain the character and aesthetic integrity of the subject property and the surrounding area.

Community Development Department Staff and the Planning Commission have reviewed the monument sign. The proposed LED lettering is not allowed within the sign code and may jeopardize the character and aesthetic integrity of the subject property and the surrounding CC (Community Commercial) Zoning District and the surrounding area.

B. The application will not reasonably prevent and reduce the sort of visual blight which results when signs are designed without due regard to effects on their surroundings.

Community Development Department Staff and the Planning Commission have reviewed the project. The introduction of the proposed LED sign may cause visual blight due to LED signs not being allowed within the sign code.

- 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 signs for 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. Sign Plan

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

P:\Planning Commission\2014 Meeting Packets\07-17-2014\1649 41st staff report.docx

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RECEIVED

JUN 25 2014

CITY OF CAPITOLA



EXISTING VIEW

95"H X 145.75"W = 96 SF TL OVERALL:
NO CHANGES IN DIMENSIONS, FRAME
OR FOUNDATION - RETROFIT TO
EXISTING ONLY



PROPOSED VIEW

CORNER OF 41ST AVE AND CAPITOLA RD

<p>6135 District Blvd • Maryland, CA 90270 800-423-5283 • Fax 323-560-7143 Website: www.signresource.com</p>															
<p>REVISION HISTORY:</p> <table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>REVISION</th> <th>BY</th> </tr> <tr> <td>A</td> <td>04/24/14</td> <td>REVISED BY SP</td> <td>SP</td> </tr> </table>	NO.	DATE	REVISION	BY	A	04/24/14	REVISED BY SP	SP	<p>INITIAL DRAWING RELEASE</p>						
NO.	DATE	REVISION	BY												
A	04/24/14	REVISED BY SP	SP												
<p>PARTS LIST:</p> <table border="1"> <thead> <tr> <th>ITEM</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr><td>A</td><td></td></tr> <tr><td>B</td><td></td></tr> <tr><td>C</td><td></td></tr> <tr><td>D</td><td></td></tr> <tr><td>E</td><td></td></tr> <tr><td>F</td><td></td></tr> </tbody> </table>		ITEM	DESCRIPTION	A		B		C		D		E		F	
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<p>THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF THE CALIFORNIA SIGN REGULATIONS AND ALL OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER DIMENSIONS AND BONDING OF THE SIGN.</p>															
<p>GENERAL NOTES</p> <ol style="list-style-type: none"> 1. TOLERANCE (UNLESS NOTED): <ul style="list-style-type: none"> • FINISH SIZE = +/- 1/16" / 1/8" • CLEARANCE = +/- 1/8" • HOLE OVERLAP = 1/8" +/- 1/16" • ALL COPY LEVEL UNLESS NOTED OTHERWISE 2. VIEWING DISTANCE 25' TO 50' UNLESS NOTED OTHERWISE 3. PMS COLOR CALLOUT INDICATES USE OF PANTONE PMS SYSTEM 4. NO DEVIATION OR MATERIAL SUBSTITUTION WITHOUT ECR 5. ALL ELECTRICAL SIGNS TO COMPLY WITH UL-48 															
<p>DESCRIPTION</p> <p>SHELL RENDERING</p>															
<p>DESIGNED BY: S. PATTERSON</p>	<p>DATE: 04/24/14</p>														
<p>CLIENT: SHELL</p>	<p>PROJECT: PENINSULA PETRO-CAPITOLA</p>														
<p>DATE: 203943</p>	<p>DATE: 04/24/14</p>														
<p>DRAWING NO: SHIG2459</p>	<p>SHEET # A 1 OF 1</p>														
<p><small>The information on this sheet and associated drawings, specifications and other documents shall be used in accordance with the terms and conditions of the contract. No part of this document shall be reproduced or transmitted in any form or by any means electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without permission in writing from SignResource, Inc.</small></p>															

APPROVAL SIGNATURE	DATE
<p>By signing, you are validating the dimensions and graphic provided to SignResource and/or you are handling your own installation.</p>	



IDENTITY GRU
6135 District Blvd • Hayward, CA 945
800.423.4283 • Fax 323.560.7142
Website: www.signresource.com

REVISION HISTORY:
BY: JLM/1/13
REVISION: 1.0
DATE: 1/13
INITIAL DRAWING RELEASE

PARTS LIST:

ITEM	DESCRIPTION
A	PMS 485C DECORATION
B	PMS 116C
C	SHELL WHITE
D	PMS 579C
E	BLACKOUT
F	DIGITAL PRINT
G	MATERIAL LIST
H	ALUMINUM FACE
I	1.777 PLASTIC
J	CABINET PAINTED RAL 9006 SILVER
K	
L	
M	

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 609 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. BONDING OF THE SIGN

GENERAL NOTES

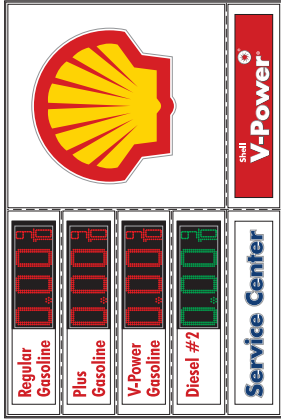
1. TOLERANCE (UNLESS NOTED)
 - GRAPHICS +/- 1/8"
 - FACE SIZE + 1/8" - 1/4"
 - CABINET +/- 1/8" • WING OVERLAP + 1/8" +/- 1/16"
2. ALL COPY LETTERS UNLESS NOTED OTHERWISE
3. 2" WINGING DISTANCE TO 5/8" UNLESS NOTED OTHERWISE
4. ALL DECORATION OR MATERIAL SPECIFICATION MUST BE MET
5. ALL ELECTRICAL SIGNS TO COMPLY WITH ILL 48

DESCRIPTION:
5' X 8' APPROX ILLUMINATED DOUBLE FACE CENTER POLE MONUMENT SIGN

DESIGNED BY: J.M. SANCHEZ
COURT: CALCRAFT-ROSEVILLE

DATE: 1/31/14
BY: 1008/2013
SHEET # 1 OF 1
SSRZLED58-069

APPROVAL SIGNATURE:
By signing, you are certifying the dimensions and graphic provided are correct and you are certifying you are handling your own installation.

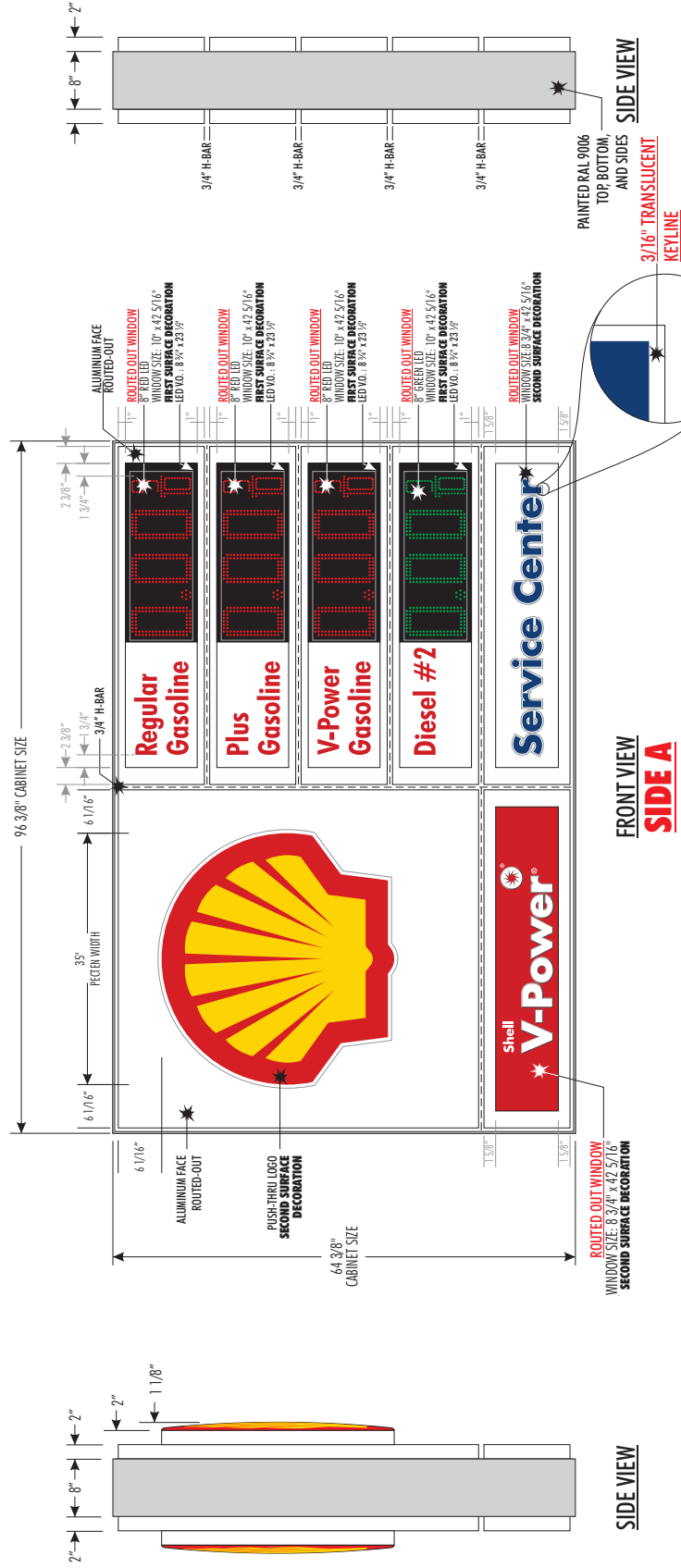


FRONT VIEW SIDE B

PRODUCT COPY: RED TRANSLUCENT COPY ON WHITE OPAQUE BACKGROUND
3" Regular Gasoline
PRODUCT COPY: BLUE TRANSLUCENT COPY ON WHITE OPAQUE BACKGROUND
4" Service Center



NIGHT ILLUMINATION VIEW SIDE A



TO BE MANUFACTURED WITH ABLE LED'S - 1SR08L4PD-S

Please Note: Weights and Measures requirements vary by State, County and Municipality. It is the responsibility of the customer to confirm that these graphics are compliant with all local Regulations, Statutes and Ordinances. Compliance must be confirmed by the party obtaining the permit. SignResource is not liable for misinterpretation of local Weights and Measures requirements or any rule changes that may occur after the order has been placed. If permitting and installation is provided by SignResource, we will make every effort to confirm the signage provided is compliant at the time of installation.

Approach > Prime Signs > Monument Sign

A Limited Variation

Monument signs are utilized only where regulatory requirements so restrict signage that they preclude the use of the standard Prime Sign. Because of this hardship, the configurations of signs in a monument format may vary from some RVI Evolution and branding requirements.

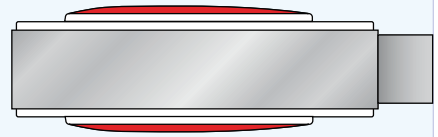
Where a monument sign is used, it should be placed perpendicular to the street with the end bearing the Shell Pecten Panel closest to traffic.

Legacy Monument Signs

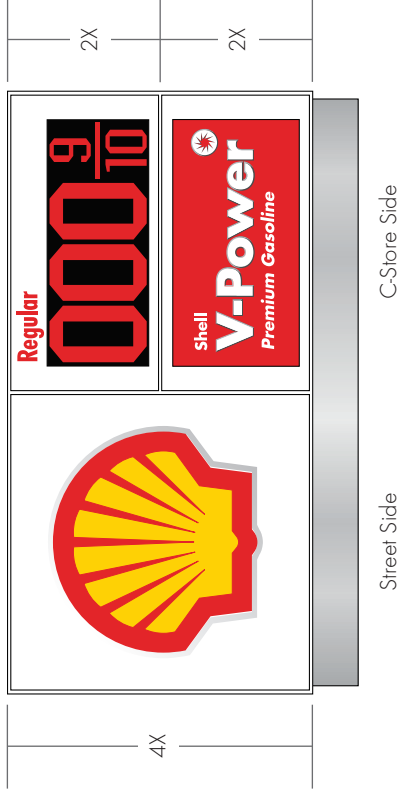
Legacy monument signs should be updated by installing new RVI Evolution compliant 1X, 2X and 4X sign panels as shown at right. The preference for the price panel is digital LED.

In any case, the Pecten Panel should always be positioned at the end of the sign closest to traffic.

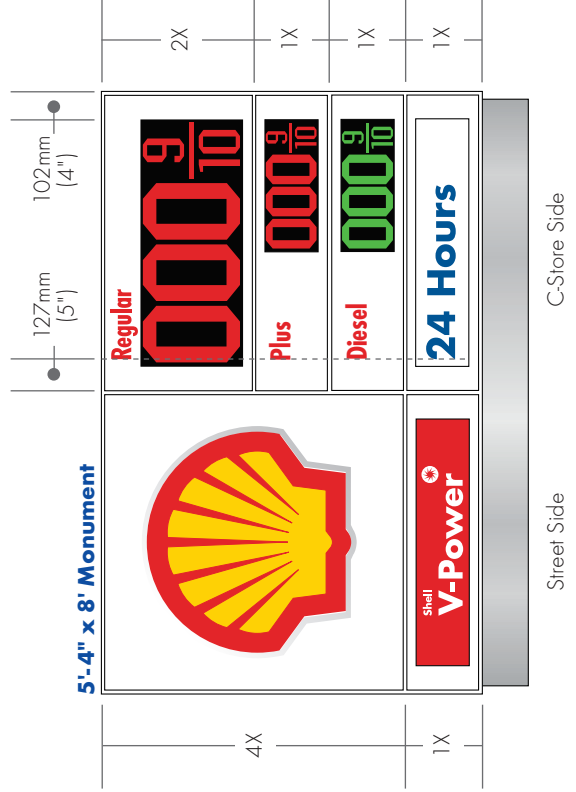
The exterior sides and top of the monument sign cabinet are to be painted Shell Silver.



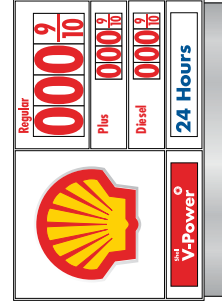
4' x 8' or 6' x 12' Monument



5'-4" x 8' Monument



Single panel product name positioning.
Cap height is 89mm (3.5").



Approach > Prime Signs > LED and Manual Pricing Specifications

Fonts

All fuel grade names are to be shown in Futura Bold Condensed. Price numerals should be as close to Futura Bold Condensed as cost allows. The LED numerals illustrated on this page are the approved, simplified (multi-segment) version.

Colors

Digital LED PCUs: Pricing for digital Price Control Units (PCUs) is red LEDs on a black background for all fuel grades except diesel. Diesel fuel price numerals are green LED on a black background as shown.

Approved LED font specifications have been established to ensure accurate color matching, and should be obtained from approved suppliers.

Manual PCUs using Magna Digits or acrylic fonts will display price numerals in Shell Red on a non-illuminated white background for all fuel grades. Back illumination of price digits is restricted by 220mm (8.66") from the left- and right-hand sides as shown.

Both systems back-illuminate the fuel grade names in Shell Red on a non-illuminated white background. The back illumination to the fuel grades is restricted by 220mm (8.66") from the left- and right-hand sides as shown.



LED Numerals: Approved, simplified version

Digital LED PCUs



Double
1200mm
(47.25")

Double Panel PCU



Single
600mm
(23.62")

Single Panel PCU



Double
1200mm
(47.25")



Double Panel/Double-Price PCU
(2 price displays in one double panel)

Manual PCUs



Double
1200mm
(47.25")

Double Panel PCU



Single
600mm
(23.62")

Single Panel PCU



Double
1200mm
(47.25")



Double Panel/Double-Price PCU
(2 price displays in one double panel)



EXISTING VIEW

LEVEL 1



PROPOSED VIEW

CAPITOLA RD



REVISION HISTORY:

REV	DATE	REVISION BY	APPROVED BY
A	05/06/14	JG	SP
INITIAL DRAWING RELEASE			
B	05/29/14	JG	DJ
REVISION REQUIRED TO REVERSE LOGO TO CANOPY HEIGHT			

PARTS LIST:

ITEM	DESCRIPTION
A	
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MATERIAL LIST:

ITEM	DESCRIPTION
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GENERAL NOTES

1. TOLERANCE (UNLESS NOTED)
 - CABINETS +/- 1/8" * FACE SIZE +/- 1/16" +/- 1/16"
 - ALL COPY LEVEL UNLESS NOTED OTHERWISE
2. VIEWING DISTANCE 25' TO 50' UNLESS NOTED OTHERWISE
3. FINISH COLOR INDICATES USE OF SPANPLAT FINISH SYSTEM
4. NO DEVIATION OF MATERIALS SUBSTITUTION WITHOUT ECR
5. ALL ELECTRICAL SIGNS TO COMPLY WITH UL 48

SHELL RENDERING

PROJECT:	2039143	DATE:	05/06/14
DRAWN BY:	S. PATTERSON	CHECKED BY:	
CHECKED BY:		CHECKED BY:	
CLIENT:	SHELL		
LOCATION:	PENNSILVANIA-PETRO-CAPITOLA		
PROJECT:	2039143	DATE:	05/06/14
DRAWING NO.:	SH162477	SHEET #:	B 1 OF 2

The Sign Resource Identity Group and its subsidiaries are not responsible for the accuracy of the information provided in this drawing. The user of this drawing is responsible for verifying the accuracy of the information provided in this drawing. All rights reserved.

APPROVAL SIGNATURE _____ **DATE** _____

By signing, you are certifying the dimensions and graphic provided to SignResource and/or you are handling your own installation.

REVISION HISTORY:

REV	DATE	REVISION BY	APPROVED BY
A	05/06/14	JG	SP
INITIAL DRAWING RELEASE			
B	05/29/14	JG	DJ
REVISION DESCRIBING: REVERSE LOGO TO CANOPY HEIGHT			

EXISTING VIEW



LEVEL J



PROPOSED VIEW

41ST AVE

PARTS LIST:

ITEM	DESCRIPTION
A	
B	
C	
D	
E	
F	
G	
H	
I	
J	
K	
L	
M	
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MATERIAL LIST

ITEM	DESCRIPTION
1	
2	
3	
4	
5	
6	
7	

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF THE CALIFORNIA SIGN REGULATIONS AND ANY OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER ENGINEERING AND BONDING/POSTING.

GENERAL NOTES

- TOLERANCE (UNLESS NOTED)
 - CABINETS: $\pm 1/8"$ • FACE SIZE = $1/16"$
 - CHARS: $\pm 1/8"$ • VOID OVERLAP = $1/8"$ • $1/16"$
 - ALL COPY LEVEL UNLESS NOTED OTHERWISE
- VIEWING DISTANCE: 25' TO 50' UNLESS NOTED OTHERWISE
- PMS COLOR CALLOUT REQUIRES USE OF SPANGLER INK SYSTEM
- NO DEVIATION OR MATERIAL SUBSTITUTION WITHOUT ECR
- ALL ELECTRICAL SIGNS TO COMPLY WITH ILL 40

DESCRIPTION

PROJECT:	CLIENT:	CHECKED:	DATE:
OWNER:	DESIGNER:		
LOCATION:			

PROJECT #	DATE	SHEET #
203943	05/06/14	2 OF 2
DRAWING FILE #		
SHL62477		

The Owner shall verify and maintain the accuracy of all information provided to SignResource and shall be responsible for any errors or omissions. SignResource shall not be responsible for any errors or omissions.

APPROVAL SIGNATURE: _____ DATE: _____

By signing you are certifying the dimensions and graphic provided to SignResource and/or you are handling your own installation.



Capitola Mall

Capitola Rd

41st Ave

Pectin A

Canopy A

Canopy B

Pectin B

Chevron

Primary ID/Price Sign

1649 41st Ave, Capitola, CA 95010, USA

Hardware

Hop

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36°58'24.35" N 121°57'54.80" W elev 70ft

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