



AGENDA

CAPITOLA PLANNING COMMISSION

Thursday, August 1, 2019 – 7:00 PM

Chairperson TJ Welch
Commissioners Courtney Christiansen
Ed Newman
Mick Routh
Peter Wilk

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. 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. **523 Riverview Drive** #19-0323 APN: 035-042-05

Coastal Development Permit to replace an existing retaining wall located within the R-1 (Single-Family Residential) zoning district.

Note: Request to Continue to September 5, 2019.

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

Environmental Determination: Categorical Exemption

Property Owner: Ed Bottorff

Representative: Ed Bottorff, Filed: 07.11.2019

B. **3744 Capitola Road** #19-0321 APN: 034-181-16

Conditional Use Permit Amendment to allow outdoor dining for a restaurant located within the C-C (Community Commercial) zoning district.

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

Environmental Determination: Categorical Exemption

Property Owner: William Lau

Representative: Troy Malmin, Filed: 07.11.2019

- C. 1404 38th Avenue #19-0246 APN: 034-164-41**
 Conditional Use Permit for a bouldering gym and fitness center, Design Permit for two new entrances, and a Sign Permit for monument sign and wall sign requesting special signage for commercial sites located in geographically constrained areas located within the CC (Community Commercial) zoning district.
 This project is in the Coastal Zone and requires a Coastal Development Permit which is not appealable to the California Coastal Commission.
 Environmental Determination: Categorical Exemption
 Property Owner: Ow Trusts
 Representative: John Hester, Filed: 05.17.19

4. 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. 207 Saxon Avenue #18-0278 APN: 036-122-06**
 Design Permit and Conditional Use Permit for reconstruction of an historic detached garage with a Variance for the side setback, rear setback, and nonconforming structural alteration limit located on the same parcel as an historic single-family home within the R-1 (Single-Family) zoning district.
 This project is in the Coastal Zone and requires a Coastal Development Permit which is appealable to the California Coastal Commission after all possible appeals are exhausted through the City.
 Environmental Determination: Categorical Exemption
 Property Owner: 207 Saxon LLC
 Representative: 207 Saxon LLC (John Nicholson), Filed: 06.13.2018
- B. 120 Monterey Avenue #19-0214**
 APN: 035-261-10, 035-262-02, 035-262-04, 035-262-11
 Conceptual Review to receive guidance on a preliminary development concept for an 88-room hotel including meeting/banquet space, bar/lounge, swimming pool, and 92 onsite parking spaces in the C-V (Central Village) Zoning District. Proposed hotel concept varies in height from two to five stories
 This project is a conceptual review; therefore, a Coastal Development Permit is not required.
 Owner: Green Valley Corporation
 Representative: Swenson Builders, Filed: 05.03.2019

5. DIRECTOR'S REPORT

6. COMMISSION COMMUNICATIONS

7. ADJOURNMENT

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

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

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

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



STAFF REPORT

TO: PLANNING COMMISSION
FROM: COMMUNITY DEVELOPMENT
DATE: AUGUST 1, 2019
SUBJECT: **523 Riverview Drive #19-0323 APN: 035-042-05**

Coastal Development Permit to replace an existing retaining wall located within the R-1 (Single-Family Residential) zoning district.

Note: Request to Continue to September 5, 2019.

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

Environmental Determination: Categorical Exemption

Property Owner: Ed Bottorff

Representative: Ed Bottorff, Filed: 07.11.2019

RECOMMENDATION

Staff recommends that the Planning Commission **continue** application #19-0323 to the September 5, 2019, Planning Commission meeting.

Prepared By: Matt Orbach
Associate Planner



STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: AUGUST 1, 2019
 SUBJECT: **3744 Capitola Road #19-0321 APN: 034-181-16**

Conditional Use Permit Amendment to allow outdoor dining for a restaurant located within the C-C (Community Commercial) zoning district. This project is not located in the Coastal Zone and does not require a Coastal Development Permit.
 Environmental Determination: Categorical Exemption
 Property Owner: William Lau
 Representative: Troy Malmin, Filed: 07.11.2019

APPLICANT PROPOSAL

The application is for an amendment to the Conditional Use Permit (CUP) for a restaurant to include outdoor dining at the new Pono Hawaiian Kitchen and Tap located at 3744 Capitola Road in the C-C (Community Commercial) zoning district. The proposed use is consistent with the General Plan and Zoning Ordinance with the issuance of a Conditional Use Permit.

BACKGROUND

The site was previously occupied by the Bamboo Garden restaurant. Pono Hawaiian Kitchen and Tap will operate under the previous CUP for Bamboo Garden, approved in 2000 (Permit # 00-90). The existing CUP allows a restaurant with the sale of beer and wine.

DISCUSSION

3744 Capitola Road is located along the western gateway into Capitola. The property is a deep lot with the restaurant located close to the street and parking located behind the restaurant. It is situated between Chinese Village restaurant to the east and a currently unoccupied kennel to the west along Capitola Avenue and residential properties to the south. The Capitola Mall, a regional shopping center, is located across the street. The property is located outside the coastal zone and is subject to the regulations of the 2018 zoning code.

The applicant is requesting a CUP amendment to include outdoor dining for dining and alcohol consumption. Outdoor dining will be limited to the front setback area between the existing building and the front lot line and the area between the existing building and the western lot line. The proposed outdoor dining would expand the dining area by 980 square feet. It includes approximately 12 outdoor dining tables. There is a fence that separates the dining area from the adjacent sidewalk. No other change in services are proposed.

In the review of the conditional use permit application for outdoor dining, the Planning Commission may impose requirements and conditions with respect to location, design, siting, maintenance and operation of the use as may be necessary for the protection of adjacent properties and in the public interest. The outdoor dining is proposed along a busy street within a commercial district. There are existing commercial uses on either side of the building. The proposed outdoor dining space is along the front property line, the furthest location on the site from the adjacent residential properties at the rear of the property. To mitigate possible noise impacts on residences in the vicinity, staff added condition three which states “Amplified entertainment shall not take place outdoors to mitigate noise impacts on surrounding properties.”

Since the application is an amendment to an existing restaurant conditional use permit, the original conditions continue to apply. The conditions for specific on and off-site improvements tied the original permit are listed for continuity in the record but were fulfilled previously.

On Site Alcohol

Bamboo Garden was permitted to sell beer and wine as part of the original CUP for a restaurant under a Type 41 on sale beer and wine license.

Parking

The CUP amendment proposal constitutes an intensification of use and must comply with the minimum parking standards. The proposed outdoor dining will add 980 square feet of dining area for a total of 1,725 square feet of dining area and 1,281 square feet of remaining business area. Pursuant to §17.76.030 CMC, one parking space is required for every 60 square feet of dining area and one parking space for every 300 square feet of business area. The required number of parking is 32 spaces, which is under the 34 spaces provided on the property.

Accessibility

Currently the outdoor dining area pathway and tables are not wheelchair accessible. A condition has been added for the area to be in compliance with accessibility standards.

CEQA REVIEW

This project is categorically exempt under Section 15332 of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations. The proposed project involves the expansion of an existing use in an existing commercial space. No adverse environmental impacts were discovered during project review by either Planning Department Staff or the Planning Commission.

RECOMMENDATION

Staff recommends the Planning Commission **approve** project application #19-0321 based on the following Conditions and Findings for Approval.

CONDITIONS OF APPROVAL

1. The project approval consists of a Conditional Use Permit amendment to include 980 square feet of outdoor dining area in the front setback area between the existing building and the front lot line and in the area between the existing building and the western lot line. No modifications to the structure or interior are proposed within the application.
2. A copy of the approved revision to the Department of Alcoholic Beverage Control Permit must be filed with the Community Development Department prior to allowing outdoor beer and wine consumption.

3. There shall be no amplified audible entertainment outside the business.
4. The outdoor dining area must be compliant with Chapter 11B of the California Building Code for accessibility.
5. The applicant shall utilize the outdoor dining use prior to August 1, 2021 or the conditional use permit amendment will expire. The conditional use permit amendment will expire in the case where the conditionally permitted use has not been exercised within two years after the date of granting thereof. Any interruption or cessation beyond the control of the property owner shall be deemed to have been "used" when actual, substantial, continuous activity has taken place upon the land pursuant to the permit. Applications for extension may be submitted by the applicant prior to permit expiration, pursuant to Municipal Code section 17.156.080.
6. 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 issue in a timely manner may result in permit revocation.

Original Conditions of Approval for Permit #00-09

7. The application shall be reviewed by the Planning Commission upon evidence of non-compliance with conditions of approval or applicable municipal code provisions.
8. Handicapped parking spaces and signage, in compliance with the American's With Disabilities Act shall be shown on the final building plans and installed prior to final occupancy of the project.
9. Final building plans shall include a six-foot-high stucco wall along the southern side of the parking lot.
10. All landscaping shall be installed prior to final occupancy of the restaurant.
11. The street address of the building shall be displayed in a location conspicuous from the public street.
12. Prior to final occupancy of the restaurant, the applicant shall obtain a business license.
13. Signage shall be reviewed by Planning Department Staff and/or the Planning Commission, in accordance with the Sign Ordinance requirements.
14. Prior to issuance of building permits, the applicant shall receive final approval of a drainage plan from Santa Cruz County Public Works Department (Zone 5 Drainage Section) that conducts stormwater runoff towards the catch basin on 38th Avenue and Brommer Street, and includes a filtering mechanism to be installed before entering the City's storm drain system. The size, type and location shall be subject to the approval of the Public Works Director.
15. Prior to issuance of building permits, the applicant shall contribute a fair share of construction costs associated with adding a second exclusive right turn only lane on the northbound 41st Avenue approach to State Highway 1. Prior to the issuance of the

building permit the Applicant shall pay \$2,282.00 to the Director of Public Works for the projects share for improvement to the southbound Highway One onramp at 41st Avenue.

16. All lighting in the parking lot shall be directed away from adjacent residential properties. Lighting intensity shall be reviewed and approved by staff prior to final occupancy and shall be reviewed by the Planning Commission upon receipt of a complaint.
17. The maximum height of the light standards shall be fifteen (15) feet and down-lit with shading to prevent lighting to impact neighbors.

FINDINGS

A. The proposed use is allowed in the applicable zoning district.

In 2000, the site received a conditional use permit for a restaurant and alcohol sales. The proposed outdoor dining area is an amendment to the original conditional use permit. The proposed use is allowed with the approval of a Conditional Use Permit by the Planning Commission.

B. The proposed use is consistent with the general plan, local coastal program, zoning code, and any applicable specific plan or area plan adopted by the city council.

The Community Development Department and the Planning Commission have reviewed the application and determined that the proposed outdoor dining will secure the purposes of the zoning ordinance, design standards, and general plan. The property is outside the coastal zone therefore the local coastal program does not apply.

C. The location, size, design, and operating characteristics of the proposed use will be compatible with the existing and planned land uses in the vicinity of the property.

The Community Development Department and the Planning Commission have reviewed the application and determined that the proposal is compatible with the existing and planned land uses within the vicinity of the property. The restaurant with outdoor dining is located immediately south of the Capitola Mall in a transitional neighborhood.

D. The proposed use will not be detrimental to the public health, safety, and welfare.

The Community Development Department and the Planning Commission have reviewed the application and determined that the proposed outdoor dining will not have adverse impacts on public health, safety, or general welfare.

E. The proposed use is properly located within the city and adequately served by existing or planned services and infrastructure.

The Community Development Department and the Planning Commission have reviewed the application and determined the proposed outdoor seating is properly located within the city and adequately served by existing services and infrastructure. The proposed use serves an existing restaurant located in the Community Commercial zoning district.

F. This project is categorically exempt under section 15332 of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.

The proposed project involves the addition of an outdoor seating area to a restaurant in an existing commercial building. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable

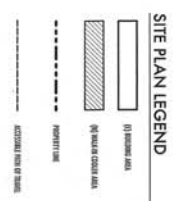
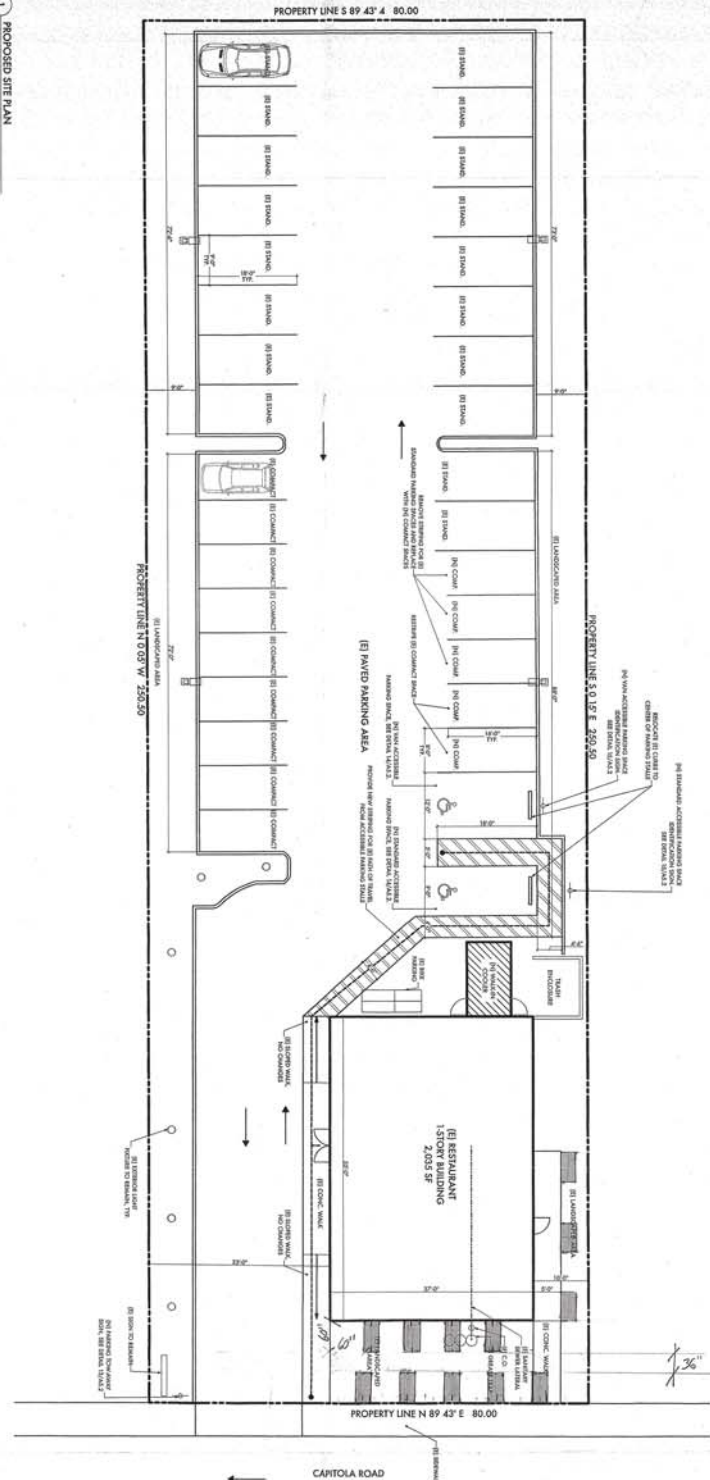
zoning designation and regulations; the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; the project site has no value as habitat for endangered, rare, or threatened species; approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services. No adverse environmental impacts were discovered during project review by either the Planning Department Staff or the Planning Commission.

ATTACHMENTS:

1. 3744 Capitola Road - Seating Plan

Prepared By: Sean Sesanto

1 PROPOSED SITE PLAN
SCALE: 3/32" = 1'-0"



PARKING CALCULATIONS

CAPITOLA MUNICIPAL REQUIREMENTS:
 1 PARKING SPACE/SEAT
 50% MAX. COMPACT
 PROJECT MINIMUM REQUIREMENTS:
 2.0-2.5 TOTAL COMPACT PARKING
 20 STANDARD P. ACCESSIBLE
 14 COMPACT

PROPOSED SITE PLAN

DATE	4/11/17
SCALE	AS SHOWN
DESIGNER	NS
CHECKED	NS
DATE	4/11/17



APPROVED FOR COPY

THE ISSUANCE OF A BUILDING PERMIT SHALL NOT BE CONSIDERED AS A GUARANTEE THAT ALL CODE REQUIREMENTS ARE FULLY COMPLIED WITH. THE GENERAL CONTRACTOR FOR THE PROJECT SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMITS AND FOR THE REGULATION, LAWS AND CODE REQUIREMENTS.

JOB NAME: PONO HAWAIIAN KITCHEN & TAP
CLIENT: PONO HAWAIIAN KITCHEN & TAP
ADDRESS: 3744 CAPITOLA ROAD, CAPITOLA, CA 95062
APR: 03418114



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STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: AUGUST 1, 2019
 SUBJECT: **1404 38th Avenue #19-0246 APN: 034-164-41**

Conditional Use Permit for a bouldering gym and fitness center, Design Permit for two new entrances, and a Sign Permit for monument sign and wall sign requesting special signage for commercial sites located in geographically constrained areas located within the CC (Community Commercial) zoning district. This project is in the Coastal Zone and requires a Coastal Development Permit which is not appealable to the California Coastal Commission.
 Environmental Determination: Categorical Exemption
 Property Owner: Ow Trusts
 Representative: John Hester, Filed: 05.17.19

APPLICANT PROPOSAL

The applicant is requesting a Conditional Use Permit (CUP) for a bouldering gym and fitness studio, a Design Permit for new entries at the front and rear of the building, and a Sign Permit for a new wall sign and monument sign located at 1404 38th Avenue in the CC (Community Commercial) zoning district.

BACKGROUND

The existing structure at 1404 38th Avenue is a single-story commercial structure that was previously occupied as a warehouse pickup center for the former Orchard Supply Hardware in King's Plaza.

The Architectural and Site Review Committee reviewed the application on July 10, 2019, and provided the applicant with the following direction:

Public Works Representative, Kailash Mozumder: requested updated plans identify the use for all existing drain inlets and catch basins, BMPs, and landscaping. Mr. Mozumder asked that a condition be added that all drains be made functional and clear and all outdoor waste receptacles must be covered.

Building Official, Robin Woodman: stated that ADA spaces must either have dedicated ADA accessible sidewalks or not require walking/moving past other parking spaces.

Local Architect, Frank Phanton: supported the proposal.

Assistant Planner, Sean Sesanto: informed the applicant that the parking was under review by a third party.

Following the Architectural and Site Review Committee meeting, the applicant made corrections to the ADA spaces and identified the items specified by public works on an updated set of plans. Staff received the completed parking study which found the parking demand for the bouldering gym is met onsite.

DISCUSSION

The proposed project is located in a transition area at the edge of the Community Commercial (CC) zoning district. It is adjacent to King's Plaza to the north (CC zone), Best Western Plus Inn & Suites to the east (CC zone), high density multifamily housing to the south (RM-H zone), and medium density multifamily housing to the west (RM-M zone).

Conditional Use Permit

The applicant is proposing to convert the structure into a bouldering gym and fitness studio. The Community Commercial zoning district does not include a gym as a specified land use. In the past, special purpose gyms have been classified as "specialized schools" and require a CUP approved by the Planning Commission.

The existing floor area of the structure is 6,045 square feet. Approximately 3,400 square feet will be used for bouldering and fitness activities, with the remaining space conditioned for an indoor lounge, locker rooms, retail, and employee areas. Along the back of the building, a 2,390 square foot exterior lounge is proposed on the paved outdoor space.

In considering an application for a conditional use, the Planning Commission shall give due regard to the nature and condition of all adjacent uses and structures. The Planning Commission may impose requirements and conditions with respect to location, design, siting, maintenance, and operation of the use as may be necessary for the protection of the adjacent properties and the public interest. The following conditions of approval have been added to mitigate potential impacts from light and noise generated by the use:

2. There shall be no amplified audible entertainment outside the business.
6. Outdoor lights shall be on timers and turn off after business hours with minimal lighting allowed for safety. All outdoor lighting shall be down directed and shielded. Light shall not trespass beyond the property line on to neighboring properties.
7. The outdoor lounge is located in close proximity to multi-family residential and a hotel. The outdoor lounge shall not be occupied past 10 pm.

Parking

The applicant has proposed to reconfigure the parking layout to include 53 parking spaces and parking for 22 bicycles. The current zoning code does not have parking standards that apply to bouldering gyms or fitness centers. The City contracted Kimley-Horn and Associates to evaluate the parking. The study concluded that the change in land use from a retail warehouse to a bouldering gym/fitness center would result in an increase of in AM and PM trips. An average weekday demand of 28 spaces with a peak of 53 spaces and an average weekend demand of 20 spaces with a peak of 53 spaces are anticipated. The study concluded that the bouldering gym is expected to have sufficient on-site parking spaces.

Design Permit

On the front of the building facing 38th Avenue, the applicant is proposing to remove an existing metal roll-up garage door and construct a new front entry with aluminum framing and transparent glass walls and two entry doors. The new storefront is 12 feet two inches tall. A new emergency exit door is proposed on the rear face of the building, next to an existing metal roll-up garage door. No floor area will be added to the building.

Signs

The applicant is proposing a new wall sign and a new monument sign. The proposed wall sign consists of individual bent steel lettering that will be illuminated through an external lighting source. The wall sign is proposed over the new entryway facing the 38th Avenue. Pursuant to 17.57.070.B, a wall sign must comply with the following standards:

1. Each business shall be permitted only one wall sign, unless there are special circumstances including a corner lot or a master sign program exist.
Staff analysis: Only one wall sign is proposed.
2. The size of each individual sign shall not be greater than one square foot of sign area for each one linear foot of business frontage.
Staff analysis: The business frontage is 90 linear feet. The wall sign has a total area of 48 square feet, below the maximum 90 square feet allowed for the structure.
3. No such sign, including any light box or other structural part, shall project more than twelve inches from the building face.
Staff analysis: The lettering is made of bent steel bars that project two inches from the wall.
4. Wall signs shall be mounted parallel to the building, unless otherwise approved by the Planning Commission.
Staff analysis: The wall sign will be mounted parallel to the building wall.
5. No part of any such sign shall extend above the top level of the wall upon or in front of which it is situated. Any such sign which is suspended or projects over any public walkway or walk area shall have an overhead clearance of at least eight feet. No permanent sign may be erected over any publicly dedicated walkway or street contrary to the building code.
Staff analysis: There wall sign is situated 12 feet eight inches above the front entry and will not extend above the top level of the wall upon which it is situated.
6. No such sign shall list the products to be sold or the services to be provided by any business.
Staff analysis: The name of the gym is listed on the sign.

The sign application also includes a monument sign along 38th Avenue. The material is white-stained concrete and uses stamped and painted lettering. §17.57.070(A)1-10 outline the requirements for a monument sign, as follows:

1. No such sign shall exceed eight feet above ground, except where the existing main building, or proposed building, is closer than twenty-five feet from the front property line adjoining a public street, no such sign shall exceed four feet in height. The height shall be determined as measured from the sidewalk or as assessed by the community development director.
Staff analysis: The sign is four feet tall.
2. The maximum area of any such sign shall be sixty square feet in the CC and IP zoning districts and thirty-five square feet in all other districts.

Staff analysis: The sign is four feet tall by six feet wide for a total of 24 square feet.

3. There may be no more than one such sign for each building frontage.
Staff analysis: Only one monument sign is proposed on the building frontage.
4. A maximum of four tenants may be named on a monument sign.
Staff analysis: Only one tenant is named on the monument sign.
5. In the case of a corner parcel, a monument sign may be allowed for each frontage; provided, however, that each sign be placed at least two hundred feet from the actual intersection corner.
Staff analysis: Not applicable.
6. The area surrounding the base of a monument sign shall be landscaped in accordance with the provisions of Chapter 17.63.
Staff analysis: Native drought-tolerant plants will be planted around the monument sign.
7. The use of wood materials shall be encouraged with provisions for indirect lighting permitted. Internally lighted signs shall be limited to the use of individually lighted letters with opaque or wood background materials.
Staff analysis: The material is white-stained concrete and uses stamped and painted lettering.
8. No other sign(s) advertising the business(es) shall be permitted on the premises, with the exception of a wall sign, located so as not to be visible from the street frontage used for the monument and appropriate directional signs.
Staff analysis: The applicant is proposing a monument sign and a wall sign facing 38th Avenue. The applicant is requesting an exception to this standard due to the building being located over 145 feet back from the street.
9. No such sign shall list the products to be sold or the services to be provided.
Staff Analysis: The monument sign displays that name of the business.
10. No such sign shall list the products to be sold or the services to be provided by any business.
Staff analysis: The name of the gym is listed on the sign.
11. Monument signs shall be designed to be related to the design, building materials and architectural theme of the building on the same property, an integral part of a landscaped area or raised planter and used for identification purposes only.
Staff Analysis: The monument sign is made of concrete and relates to the industrial design of the building.

Geographically Constrained Commercial Sites

Pursuant to Capitola Municipal Code (CMC) §17.57.070(A)(8), monument signs may not be displayed on the same street frontage as a wall sign that is visible from the street. Pursuant to §17.57.090, the applicant is applying for special signage for commercial sites located in geographically constrained areas to allow both a monument sign and a wall sign which will face 38th Avenue.

The Planning Commission may approve additional signage or variations to any type of signage upon making the following findings:

1. The special signage, as designed and conditioned, is necessary and appropriate for the subject commercial site, in order to allow the site and the businesses located within it to be competitive with other businesses of a similar nature located elsewhere, and/or to be competitive with industry standards governing sale of the merchandise offered at the site.

Staff analysis: The building at 1404 38th Avenue is setback approximately 145 feet from the front property line. The applicant is requesting a wall sign and a monument sign to provide identification of the use on the property along the street as well as on the building. In addition, the combined sign area for both signs is 72 square feet, which under the 90 square feet maximum allowed for the single wall sign. The commercial sites in King's Plaza fronting on Capitola Road and 41st Avenue, has a mix of wall signs and monument signs for the plaza through a master sign permit application.

2. The special signage, as designed and conditioned, will not have a significant adverse effect on the character and integrity of the surrounding area. This subsection C does not allow approval of: signs over sixteen feet high, sound signs, abandoned signs, balloon signs greater than fifteen inches in diameter, or freestanding signs.

Staff analysis: As previously stated, the total sign area for both signs is 72 square feet, which does not exceed the 90 square feet allowed for the single wall sign on the building. The signs are externally illuminated with lights directed onto the sign face as to limit impacts on the surrounding area. The special signage consideration is for the use of two signs on the same frontage. The signs comply with all other standards of the Community Commercial zoning district.

CEQA

Section 15301(a) of the CEQA Guidelines exempts the alteration of existing facilities of a commercial or residential zone. This project involves alteration of an existing commercial structure subject to the CC (Community Commercial) Zoning District. No adverse environmental impacts were discovered during review of the proposed project.

RECOMMENDATION

Staff recommends the Planning Commission approve project application #19-0246 based on the following Conditions for Approval and Findings.

CONDITIONS OF APPROVAL

1. The project approval consists of a Conditional Use Permit for a bouldering gym and fitness studio, a Design Permit for new entry, a 48 square foot wall sign and 24 square foot monument sign. The bouldering gym and fitness will be located within the existing structure and no change to the existing floor area is proposed. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on August 1, 2019, except as modified through conditions imposed by the Planning Commission during the hearing.
2. There shall be no amplified audible entertainment outside the business.
3. The applicant is responsible for maintaining the area directly in front of the business free from litter and/or graffiti.
4. The applicant shall obtain a business license from the City of Capitola prior to operating the business.

5. 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 land pursuant to the permit.
6. Outdoor lights shall be on timers and turn off after business hours with minimal lighting allowed for safety. All outdoor lighting shall be down directed and shielded. Light shall not trespass beyond the property line on to neighboring properties.
7. The outdoor lounge is located in close proximity to multi-family residential and a hotel. The outdoor lounge shall not be occupied past 10 pm.
8. All signs on the property must comply with sign standards of the Capitola Zoning code. The abandoned monument sign must be removed prior to installation of the new monument sign.
9. The wall sign may not expose any direct lighting or electrical. All electrical shall be concealed. The sign illumination shall not shine directly on adjoining properties or cause glare for motorists or pedestrians.
10. 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.
11. 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.
12. 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.
13. Prior to project final, the existing drainage will be made functional and clear to the satisfaction of the Public Works Department.
14. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
15. Prior to issuance of building permit, a final landscape plan for the area around the monument sign shall be submitted and approved by the Community Development Department. Landscape plans shall identify type, size, and location of species and details of irrigation systems.
16. Prior to issuance of building permit, all Planning fees associated with permit #19-0246 shall be paid in full.

17. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Santa Cruz Water District, and Central Fire Protection District.
18. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
19. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
20. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
21. 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.
22. 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
23. 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.
24. 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.
25. 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.
26. 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.

27. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.

FINDINGS

- A. **The project, subject to the conditions imposed, secures the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission reviewed the project. The proposed bouldering gym and new entry complies with the development standards of the CC (Community Commercial) District. The project secures the purpose of the Zoning Ordinance, General Plan, and Local Coastal Plan
- B. **The project will maintain the character and integrity of the neighborhood.**
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have reviewed the proposed use and design and determined that they comply with applicable provisions of the Zoning Ordinance and therefore maintain the character and integrity of the neighborhood. Conditions of approval have been added to protect the neighboring residential and hotel uses from light and noise.
- C. **This project is categorically exempt under Section 15301(a) of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.**
Section 15301(a) of the CEQA Guidelines exempts the alteration of existing facilities of a commercial or residential zone. This project involves the alteration of an existing commercial structure within the CC (Community Commercial) zoning district. No adverse environmental impacts were discovered during review of the proposed project.

COASTAL FINDINGS

D. Findings Required.

1. **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:**
 - a. A statement of the individual and cumulative burdens imposed on public access and recreation opportunities based on applicable factors identified pursuant to subsection (D)(2) of this section. The type of affected public access and recreation opportunities shall be clearly described;
 - b. An analysis based on applicable factors identified in subsection (D)(2) of this section of the necessity for requiring public access conditions to find the project consistent with the public access provisions of the Coastal Act;
 - c. A description of the legitimate governmental interest furthered by any access conditioned required;
 - d. An explanation of how imposition of an access dedication requirement alleviates the access burdens identified.
 - 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:
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.

- 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 buildout. 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 1404 38th Avenue. The commercial property is not located in an area with coastal access. The use will not have an effect on public trails or beach access.

- b. Shoreline Processes. Description of the existing shoreline conditions, including beach profile, accessibility and usability of the beach, history of erosion or accretion, character and sources of sand, wave and sand movement, presence of shoreline protective structures, location of the line of mean high tide during the season when the beach is at its narrowest (generally during the late winter) and the proximity of that line to existing structures, and any other factors which substantially characterize or affect the shoreline processes at the site. Identification of anticipated changes to shoreline processes at the site. Identification of anticipated changes to shoreline processes and beach profile unrelated to the proposed development. Description and analysis of any reasonably likely changes, attributable to the primary and cumulative effects of the project, to: wave and sand movement affecting beaches in the vicinity of the project; the profile of the beach; the character, extent, accessibility and usability of the beach; and any other factors which characterize or affect beaches in the vicinity. Analysis of the effect of any identified changes of the project, alone or in combination with other anticipated changes, will have upon the ability of the public to use public tidelands and shoreline recreation areas;
 - The proposed project is located along 38th Avenue. No portion of the project is located along the shoreline or beach.

- c. Historic Public Use. Evidence of use of the site by members of the general public for a continuous five-year period (such use may be seasonal). Evidence of the type and character of use made by the public (vertical, lateral, blufftop, etc., and for passive

and/or active recreational use, etc.). Identification of any agency (or person) who has maintained and/or improved the area subject to historic public use and the nature of the maintenance performed and improvements made. Identification of the record owner of the area historically used by the public and any attempts by the owner to prohibit public use of the area, including the success or failure of those attempts. Description of the potential for adverse impact on public use of the area from the proposed development (including but not limited to, creation of physical or psychological impediments to public use);

- There is not a history of public use on the subject lot.
- d. **Physical Obstructions.** Description of any physical aspects of the development which block or impede the ability of the public to get to or along the tidelands, public recreation areas, or other public coastal resources or to see the shoreline;
- The proposed project is located on private property on 38th 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.
- 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.
- 3. 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 accessway on the subject land.
- The project is not requesting a Public Access Exception, therefore these findings do not apply.

4. **Findings for Management Plan Conditions. Written findings in support of a condition requiring a management plan for regulating the time and manner or character of public access use must address the following factors, as applicable:**
- a. Identification and protection of specific habitat values including the reasons supporting the conclusions that such values must be protected by limiting the hours, seasons, or character of public use;
 - The project is located in a mixed use area without sensitive habitat areas.
 - b. Topographic constraints of the development site;
 - The project is located on a flat lot.
 - c. Recreational needs of the public;
 - The project does not impact the 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.
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.
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 bouldering gym and fitness studio on a commercial lot of record.

SEC. 30223

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

- The project involves a bouldering gym and fitness studio on a 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 bouldering gym and fitness studio building on a commercial lot of record.
- 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 new commercial use and the construction of a new front entry and signage. The project complies with applicable standards and requirements for provision for parking, pedestrian access, alternate means of transportation, and/or traffic improvements.
- 8. Review of project design, site plan, signing, lighting, landscaping, etc., by the city's architectural and site review committee, and compliance with adopted design guidelines and standards, and review committee recommendations;**
- The project complies with the design guidelines and standards established by the Municipal Code.
- 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.
- 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.
- 11. Provisions of minimum water flow rates and fire response times;**
- The project is located 1.3 miles from the Central Fire Protection District Station 1. Water is available at the location.
- 12. Project complies with water and energy conservation standards;**
- The project is for a new bouldering gym and fitness studio. 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 Santa Cruz Water District.
- 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.

- 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.
- 15. Project complies with natural resource, habitat, and archaeological protection policies;**
 - Conditions of approval have been included to ensure compliance with established policies.
- 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.
- 17. Project provides drainage and erosion and control measures to protect marine, stream, and wetland water quality from urban runoff and erosion;**
 - Conditions of approval have been included to ensure compliance with applicable erosion control measures.
- 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 outside any seismic area, geologically unstable area, or coastal bluff. Conditions of approval have been included to ensure the project applicant shall comply with all applicable requirements of the most recent version of the California Building Standards Code.
- 19. All other geological, flood and fire hazards are accounted for and mitigated in the project design;**
 - Conditions of approval have been included to ensure the project complies with geological, flood, and fire hazards and are accounted for and will be mitigated in the project design.
- 20. Project complies with shoreline structure policies;**
 - The proposed project is not located along a shoreline.
- 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 CC (Community Commercial) zoning district.
- 22. Conformance to requirements of all other city ordinances, zoning requirements, and project review procedures; and**

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

23. Project complies with the Capitola parking permit program as follows:

- a. The village area preferential parking program areas and conditions as established in Resolution No. 2596 and no permit parking of any kind shall be allowed on Capitola Avenue.
 - b. The neighborhood preferential parking program areas are as established in Resolution Numbers 2433 and 2510.
 - c. The village area preferential parking program shall be limited to three hundred fifty permits.
 - d. Neighborhood permit areas are only in force when the shuttle bus is operating except that:
 - i. The Fanmar area (Resolution No. 2436) program may operate year-round, twenty-four hours a day on weekends,
 - ii. The Burlingame, Cliff Avenue/Grand Avenue area (Resolution No. 2435) have year-round, twenty-four hour per day “no public parking.”
 - e. Except as specifically allowed under the village parking program, no preferential residential parking may be allowed in the Cliff Drive parking areas.
 - f. Six Depot Hill twenty-four minute “Vista” parking spaces (Resolution No. 2510) shall be provided as corrected in Exhibit A attached to the ordinance codified in this section and found on file in the office of the city clerk.
 - g. A limit of fifty permits for the Pacific Cove parking lot may be issued to village permit holders and transient occupancy permit holders.
 - h. No additional development in the village that intensifies use and requires additional parking shall be permitted. Changes in use that do not result in additional parking demand can be allowed and exceptions for onsite parking as allowed in the land use plan can be made.
- The project site is not located within the area of the Capitola parking permit program.

ATTACHMENTS:

1. 1404 38th Avenue - Plan Set
2. 1404 38th Avenue - Business Management Plan
3. 1408 38th Avenue - Parking Study - Kimley-Horn and Associates

Prepared By: Sean Sesanto

AGILITY BOULDERS CLIMBING GYM

PROJECT SCOPE

THE ARCHITECTURE FIRM HAS CONDUCTED VISUAL PRELIMINARY DESIGN AND CONCEPTUAL DESIGN FOR THE PROPOSED AGILITY BOULDERS CLIMBING GYM. THE ARCHITECTURE FIRM HAS CONDUCTED VISUAL PRELIMINARY DESIGN AND CONCEPTUAL DESIGN FOR THE PROPOSED AGILITY BOULDERS CLIMBING GYM. THE ARCHITECTURE FIRM HAS CONDUCTED VISUAL PRELIMINARY DESIGN AND CONCEPTUAL DESIGN FOR THE PROPOSED AGILITY BOULDERS CLIMBING GYM.

PROJECT DATA

LEGAL:
 1404 38TH AVENUE, CAPITOLA, CA 95010
 1.479 ACRES (64,402 SQ. FT.)
 1.479 ACRES (64,402 SQ. FT.)
 1.479 ACRES (64,402 SQ. FT.)
 1.479 ACRES (64,402 SQ. FT.)

BUILDING DATA

BUILDING AREA CALCULATION AND SUMMARY:
 FLOOR AREA: 64,402 SQ. FT.
 TOTAL AREA: 64,402 SQ. FT.
 TOTAL AREA: 64,402 SQ. FT.

APPLICABLE BUILDING CODES

ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF ALL LOCAL CODES AND ORDINANCES CURRENTLY IN EFFECT IN SANTA CRUZ COUNTY. THE CITY OF CAPITOLA HAS ADOPTED THE 2015 CALIFORNIA BUILDING CODE (CBC) WITH THE 2015 CALIFORNIA STRUCTURAL CODE (SCC) AND THE 2015 CALIFORNIA MECHANICAL CODE (CMC).

SITE LOCATION MAP (MS)



PROJECT TEAM

OWNER:
 AGILITY BOULDERS CLIMBING GYM
 1404 38TH AVENUE
 CAPITOLA, CA 95010

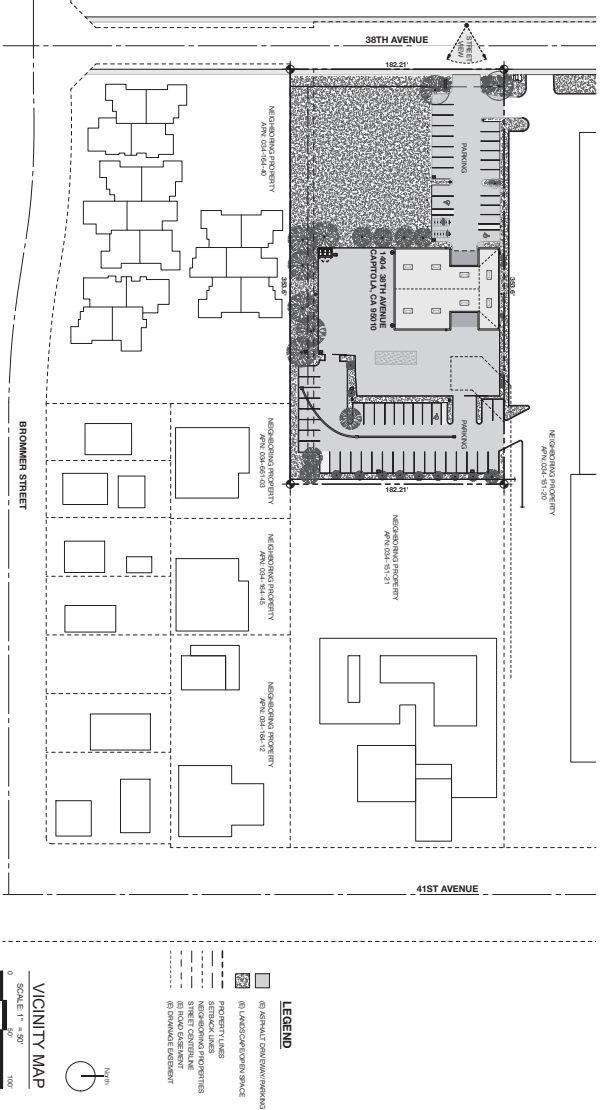
ARCHITECT:
 HELLAU ARCHITECTURE
 1000 N. MAIN STREET
 SAN JOSE, CA 95128

SHEET INDEX

NO. TITLE
 1.0 SITE PLAN
 2.0 EXISTING AND PROPOSED ELEVATIONS
 3.0 EXISTING AND PROPOSED SECTION ELEVATIONS
 4.0 EXISTING AND PROPOSED FLOOR ELEVATIONS
 5.0 EXISTING AND PROPOSED WALL ELEVATIONS
 6.0 EXISTING AND PROPOSED WINDOW ELEVATIONS
 7.0 EXISTING AND PROPOSED DOOR ELEVATIONS
 8.0 EXISTING AND PROPOSED PARTITION ELEVATIONS



PROPOSED SIGNAGE LOCATIONS - VIEW FROM 38TH STREET LOOKING EAST TOWARDS EXISTING MAIN DRIVEWAY, PARKING AND BUILDING FRONTAGE



SCALE: 1" = 50'
 0 50 100

HELLAU ARCHITECTURE
 1000 N. MAIN STREET
 SAN JOSE, CA 95128
 TEL: (408) 298-1111
 WWW.HELLAUARCHITECTURE.COM

NO.	DATE	DESCRIPTION
1	05/11/19	SIGN PERMIT SUBMITTAL
2	07/01/19	SITE AND ARCHITECTURE CUP SUBMITTAL
3	07/15/19	PLANNING CUP SUBMITTAL
4		
5		
6		

DATE: 7/15/19 DRAWING BY: CH
 SCALE: AS NOTED

TITLE SHEET

AGILITY BOULDERS CLIMBING GYM
 1404 38TH AVENUE,
 CAPITOLA, CA 95010

NO. 1 DATE 07/15/19 DESCRIPTION SITE AND ARCHITECTURE CUP SUBMITTAL

DATE: 7/15/19 DRAWING BY: CH
 SCALE: AS NOTED

LEGEND:
 (S) EXISTING DRIVEWAY/PARKING
 (P) PROPOSED DRIVEWAY/PARKING
 (L) LANDSCAPE/SCREENING SERVICE
 (D) DRIVEWAY
 (S) STREET CURB/VALE
 (S) STREET CURB/VALE
 (S) DRIVEWAY/SCREENING

VICINITY MAP
 SCALE: 1" = 50'

AO.1

ARCHITECTURAL SYMBOLS

DETAIL SYMBOL
 DETAIL NUMBER
 SHEET NUMBER

WALL SECTION SYMBOL
 WALL SECTION SYMBOL

FLOOR SECTION SYMBOL
 FLOOR SECTION SYMBOL

FLOOR ELEVATION SYMBOL
 FLOOR ELEVATION SYMBOL

ROOM INFORMATION SYMBOL
 ROOM INFORMATION SYMBOL

GRID SYMBOL
 GRID SYMBOL

ELEVATION NOMINATION
 ELEVATION NOMINATION

GRID LINE
 GRID LINE

DOOR NUMBER
 DOOR NUMBER

WINDOW NUMBER
 WINDOW NUMBER

KEY NOTE SYMBOL
 KEY NOTE SYMBOL

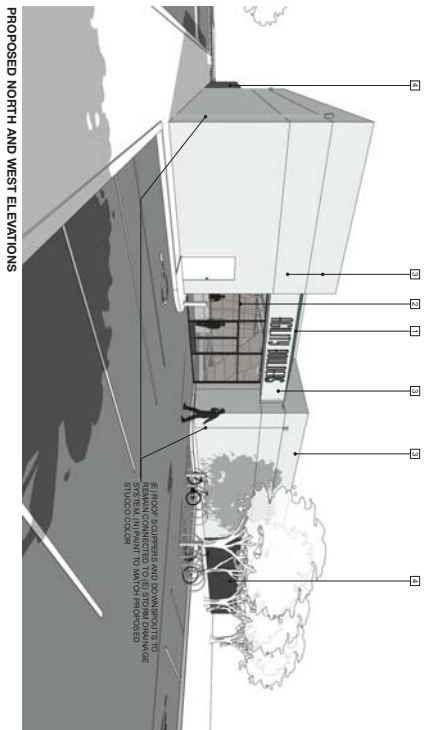
REFERENCE NOTES
 REFERENCE NOTES

WALL ASSEMBLY
 WALL ASSEMBLY

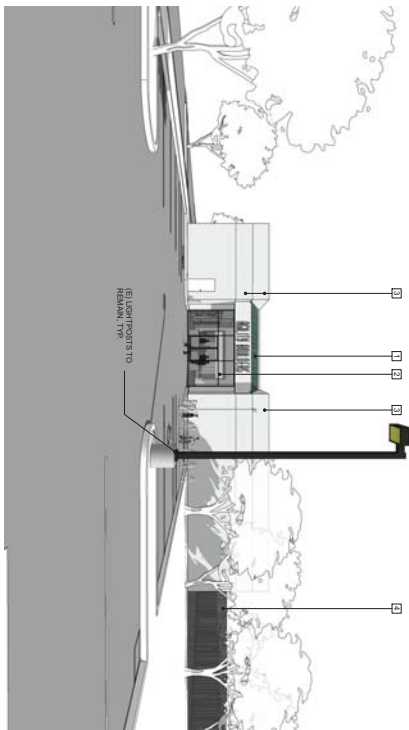
REVISION SYMBOL
 REVISION SYMBOL

DIMENSIONING CONVENTIONS

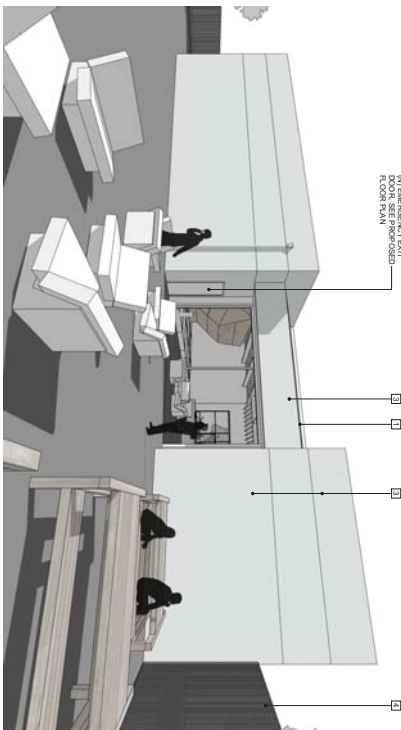
- DIMENSIONS ARE NOTED IN THE PLANS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS.
- DIMENSIONS ARE FROM GRID LINE TO FACE OF CONCRETE OR STUCCO FINISH AND FACE OF FINISH ON ALL OTHER FINISHES. UNLESS OTHERWISE NOTED, FINISHES ARE TO BE APPLIED BEFORE PROCEEDING WITH THE WORK. SEE BUSHED PLANS FOR FINISHES TO BE APPLIED AFTER CONSTRUCTION.
- DETAILS SHALL GOVERN OVER PLANS AND ELEVATIONS. LARGE SCALE PLANS GOVERN OVER SMALL SCALE PLANS. LARGE SCALE DETAILS SHALL GOVERN OVER SMALL SCALE DETAILS.
- ALL DIMENSIONS RELATIONS ARE ANGLED FROM FINISH FLOOR ELEVATION TO FINISH FLOOR ELEVATION UNLESS NOTED OTHERWISE.
- ALL REPORTS ARE DIMENSIONS FROM THE TOP OF SLAB OR FINISH FLOOR UNLESS NOTED OTHERWISE.
- DIMENSIONS ARE NOT ADJUSTABLE UNLESS NOTED OTHERWISE BY ARCHITECTS.
- EXCEPT WHERE SPECIFICALLY NOTED TO THE CONTRARY, ALL DIMENSIONS SHOWN ON THE ARCHITECTURAL DRAWINGS CONFORM TO THE FOLLOWING CONVENTIONS:
 - STRUCTURAL DIMENSIONS, GRID LINES
 - CENTERLINE OF DOOR WINDOW, OR CASED OPENING
 - CENTERLINE OF OTHER FINISHES
- WHERE WALLS AND/OR PARTITIONS OF UNUSUAL THICKNESS ARE NOT EXPOSED, FINISH DIMENSIONS OVER FINISHES.



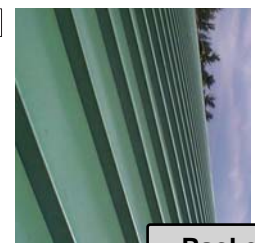
PROPOSED NORTH AND WEST ELEVATIONS



PROPOSED FRONTAGE (WEST) ELEVATION



PROPOSED REAR YARD (EAST) ELEVATION



1 (E) STANDING SEAM METAL ROOF TO REMAIN



2 (N) DARK-BRONZE ANODIZED ALUMINUM STOREFRONT SYSTEM

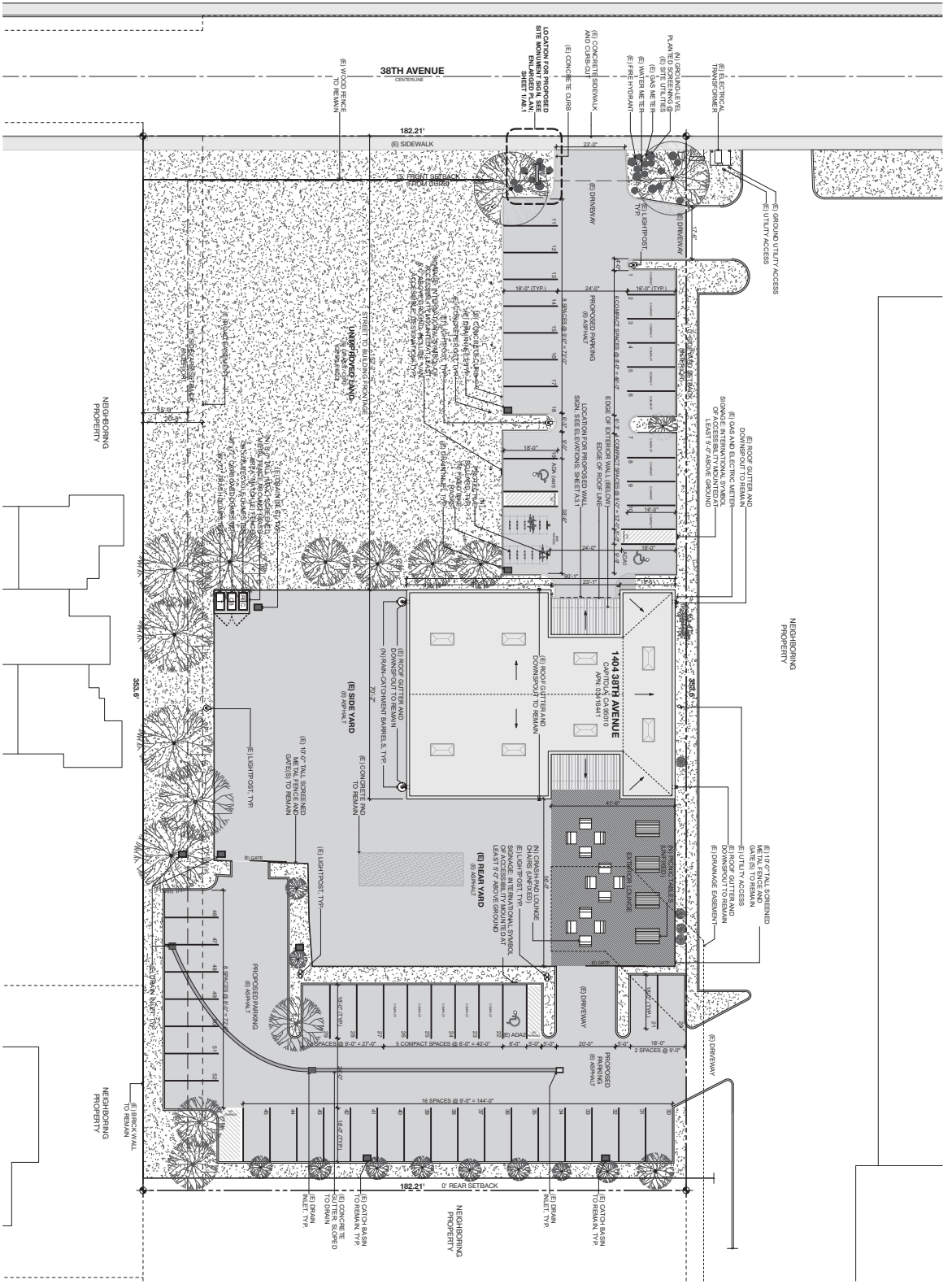


3 (E) EXTERIOR STUCCO TO REMAIN, (N) WHITE OR LIGHT-GRY PAIN COLOM, T.B.D.



4 (E) 10'-0" METAL PRIVACY SCREENING FENCE & GATES TO REMAIN

A0.2	PROPOSED MATERIALS		DRAWING ISSUE: NO. DATE DESCRIPTION 1 05/11/19 SIGN PERMIT SUBMITTAL 2 07/01/19 SITE AND ARCHITECTURE CLIP SUBMITTAL 3 07/15/19 PLANNING CLIP SUBMITTAL 4 5 6		AGILITY BOULDERS CLIMBING GYM 1404 38TH AVENUE, CAPITOLA, CA 95010	
	DATE: 7/15/19	DRAWING BY: CH				
	SCALE: AS NOTED					



LEGEND:

- PROPOSED E SURFACE: NO CHANGE
- EXISTING E SURFACE: NO CHANGE
- PROPOSED BUILDING EQUIPMENT: NO CHANGE
- EXISTING BUILDING EQUIPMENT: NO CHANGE
- PROPOSED DRIVEWAY & RAMPING SURFACE: NO CHANGE
- EXISTING DRIVEWAY & RAMPING SURFACE: NO CHANGE
- PROPOSED CATCHMENT AREA FOR UNROOFED TABLES AND CHAIRS (EXTENSION)
- PROPERTY LINE
- BUILDING SETBACK
- NEIGHBORING PROPERTY
- FLOOD ELEVATION

- SHEET NOTES:**
1. REFER TO OWNER AND SHEET 01.11 FOR LOCATION OF NEIGHBORHOOD BUILDINGS WITHIN NEIGHBORING PROPERTIES
 2. ALL STORMWATER SYSTEMS TO BE DESIGNED PRIOR TO OCCUPANCY
 3. THESE DRAWINGS REPRESENT APPROXIMATIONS OF THE EXISTING AND PROPOSED CONDITIONS. ANY DISCREPANCIES BETWEEN DRAWINGS AND EXISTING SITE CONDITIONS BEFORE EXISTING THE WORK INCLUDES:
 4. APPROXIMATIONS OF THE EXISTING AND PROPOSED CONDITIONS. ANY DISCREPANCIES BETWEEN DRAWINGS AND EXISTING SITE CONDITIONS BEFORE EXISTING THE WORK INCLUDES:

STORMWATER DATA:

APPROXIMATE SIZE AREA: 0.25 ACRES

APPROXIMATE SURFACE AREA: 0.50 FT

APPROXIMATE SURFACE AREA: 0.50 FT

APPROXIMATE SURFACE AREA: 0.50 FT

PARKING DATA:

STANDARD PARKING: 38 COUNT

COMPACT PARKING: 193 COUNT

ACCESSIBLE PARKING: 2 COUNT

1. 1404 38th Avenue

2. 1404 38th Avenue

3. 1404 38th Avenue

4. 1404 38th Avenue

(E) SITE & PARKING LIGHTING

ALL EXISTING STREET LIGHTS AND PARKING LIGHTS TO REMAIN

ALL LIGHT FIXTURES = 21'-0" HEIGHT

PHOSPHOROUS

TOTAL = 8 COUNT



SITE PLAN

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

DATE: 7/15/19 DRAWING BY: CH

SCALE: AS NOTED

NO.	DATE	DESCRIPTION
1	05/11/19	SIGN PERMIT SUBMITTAL
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4		
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7		
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9		

AGILITY BOULDER CLIMBING GYM
1404 38TH AVENUE,
CAPITOLA, CA 95010

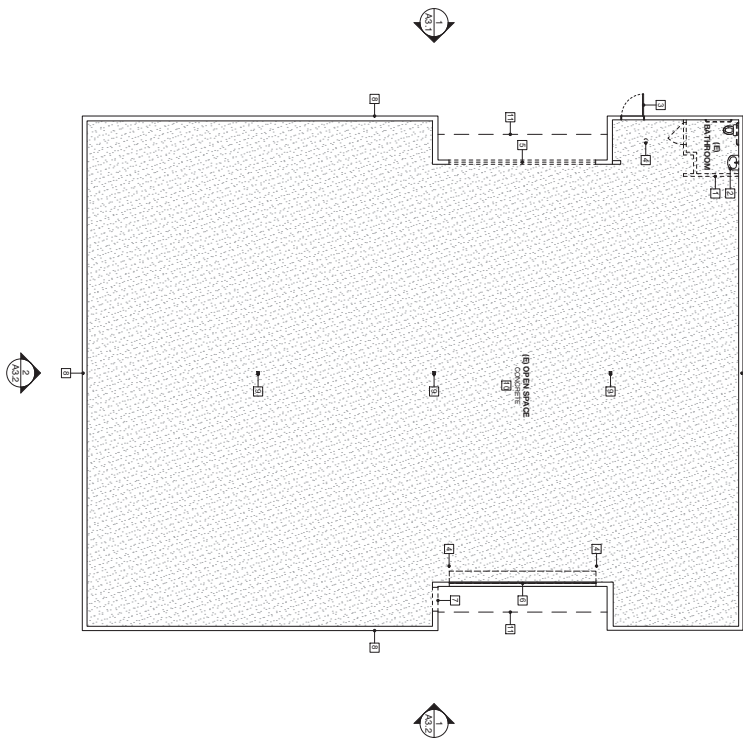
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REVISIONS

DATE: 7/15/19 DRAWING BY: CH

SCALE: AS NOTED

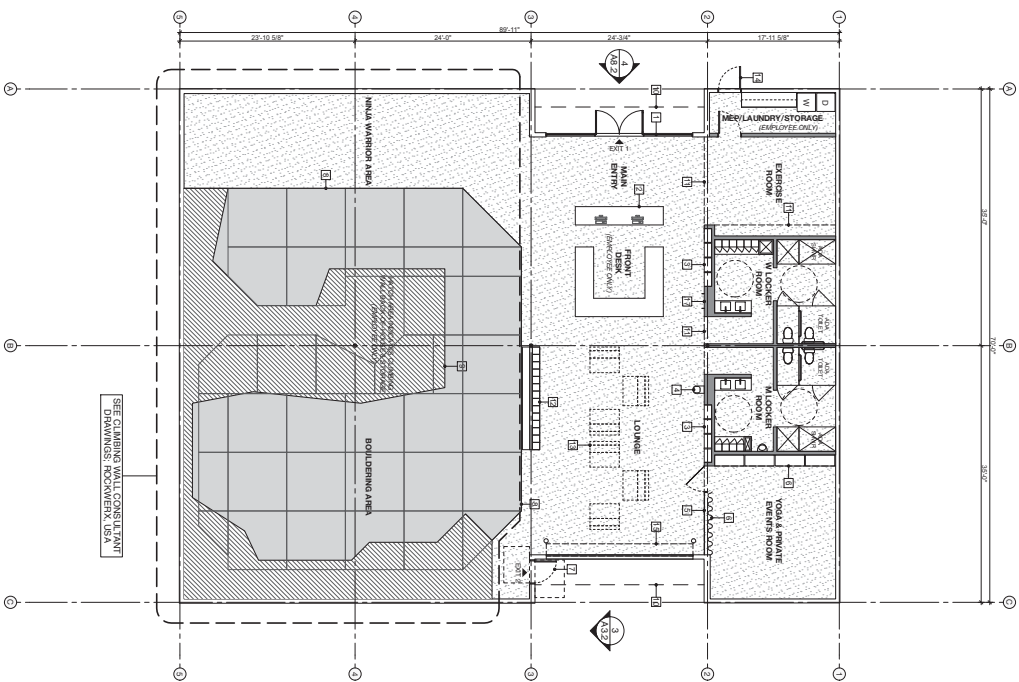
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- SHEET NOTES:**
- EXISTING WALLS ON OTHER ITEMS TO BE DEMOLISHED
 - EXISTING WALLS ON OTHER ITEMS TO REMAIN
- KEYED NOTES:**
- 1 EXISTING INTERIOR WALLS TO BE DEMOLISHED
 - 2 EXISTING EXTERIOR FINISHES AND PARTITIONS TO BE DEMOLISHED
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EXISTING & DEMOLITION FLOOR PLAN 1



- SHEET NOTES:**
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- KEYED NOTES:**
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PROPOSED FLOOR PLAN 2

<h1>A2.1</h1>	EXISTING & PROPOSED FLOOR PLANS		DRAWING ISSUE: NO. DATE DESCRIPTION 1 05/11/19 SIGN PERMIT SUBMITTAL 2 07/01/19 SITE AND ARCHITECTURE CUP SUBMITTAL 3 07/15/19 PLANNING CUP SUBMITTAL 4 5 6		AGILITY BOULDERS CLIMBING GYM 1404 38TH AVENUE, CAPITOLA, CA 95010		CHERRY HOLLOW CONSULTING 900 S. 1ST ST. SUITE 100 CAPITOLA, CA 95010 (530) 223-2000 WWW.CHERRYHOLLOWCONSULTING.COM	HELLA ARCHITECTURE 1404 38TH AVENUE CAPITOLA, CA 95010 (530) 223-2000 WWW.HELLAARCHITECTURE.COM
	DATE: 7/15/19	DRAWING BY: CH						
	SCALE: AS NOTED							

Business Synopsis:

Agility Boulders is an indoor climbing & movement facility/gym. We will provide a fun safe playground for people of all ages. The gym will become a community attraction, facilitating and enabling social connection in addition to being a bright, modern boutique bouldering and functional fitness/movement gym. We will offer memberships as well as day use passes.

The property is located right by King's Plaza but has approximately 55+ dedicated parking spaces. Additionally, we have about 12,000 square feet of fenced in outdoors space.

We will create an outside lounge area for daytime use, but utilizing only a fraction of the space. The building interior of 6,012 square feet will comprise of climbing walls, movement/functional fitness equipment, locker-rooms, and a lounge space. We will also have approximately 300 square feet of non-public office space in the front of house.

Proposed Hours of Operation:

Monday 7AM-9PM

Tuesday 7AM-10PM

Wednesday 7AM-10PM

Thursday 7AM-10PM

Friday 7AM-9PM

Saturday 9AM-9PM

Sunday 9AM-9PM

TECHNICAL MEMORANDUM

To: Sean Sesanto, City of Capitola Assistant Planner
From: Frederik Venter and Derek Wu, Kimley-Horn and Associates, Inc.
Date: July 24, 2019
Re: 1408 38th Avenue – Agility Boulders Climbing Gym Parking Study

This technical memorandum provides a parking analysis for the proposed 1408 38th Avenue development in Capitola, California. The project consists of redeveloping approximately 6,012 square-foot of an existing OSH warehouse into a climbing facility and gym including 12,000 square-foot of fenced outdoor space. The project site is located south of the King’s Plaza Shopping Center in the C-C (Community Commercial) zoning district. Based on the proposed site plan provided by the applicant, the existing site would be improved to contain climbing walls, movement/functional fitness equipment, locker-rooms, office space, and an indoor/outdoor lounge space. The existing parking lot access and vehicle parking spaces on-site will remain unchanged.

Project Trip Generation

Trip generation for the proposed project was calculated using trip generation rates from the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 10th Edition*. Daily, AM, and PM peak hour trips for the project was calculated with average trip rates. ITE’s Warehousing (150) trip rate was assumed for the 18,012 square-foot total of indoor and outdoor warehouse land use that would be replaced by the project while the proposed Agility Boulders development was conservatively estimated based on ITE’s Rock Climbing Gym (434) trip rate. The proposed project is expected to generate approximately 22 AM and 26 PM net peak hour trips, and a summary of the project trip generation is shown in **Table 1**.

Table 1: ITE Project Trip Generation

LAND USE / DESCRIPTION	PROJECT SIZE	TOTAL DAILY TRIPS	AM PEAK TRIPS		PM PEAK TRIPS	
			TOTAL	IN / OUT	TOTAL	IN / OUT
Trip Generation Rates (ITE 10th Edition)						
Warehousing [ITE 150]	Per KSF	1.74	0.17	77% / 23%	0.19	27% / 73%
Rock Climbing Gym [ITE 434]	Per KSF	N/A	1.40	33% / 67%	1.64	57% / 43%
1408 38th Avenue						
Proposed Agility Boulders Project	18.012 KSF	0	25	8 / 17	30	17 / 13
Existing trip credit for OSH Warehouse	-18.012 KSF	(29)	(3)	(2) / (1)	(4)	(1) / (3)
Final Project Vehicle Trips		-29	22	6 / 16	26	16 / 10
Notes:						
Daily, AM, and PM trips based on average land use rates from the Institute of Traffic Engineers Trip Generation 10th Edition						
Existing and Proposed land uses assumed based on project description from applicant						
Daily trips for Rock Climbing Gym [434] omitted due to small ITE sample size data						

Project Parking Generation

Parking generation for the proposed project was calculated using vehicle parking generation rates from the Institute of Transportation Engineers (ITE) *Parking Generation Manual, 5th Edition*. Average, 33% and 85% parking demand for the project during the weekday and weekend was calculated with average rates. Due to limited empirical data and for purposes of this analysis, ITE’s Health/Fitness Club (492) parking rate was assumed for the project. The proposed project is anticipated to generate an average peak parking demand of 28 vehicle spaces during the weekday and 20 vehicle spaces during the weekend. A summary of the project parking generation is shown in **Table 2**.

Table 2: ITE Project Parking Generation

LAND USE / DESCRIPTION	PROJECT SIZE	PEAK DEMAND		
		AVG	33%	85%
Parking Generation Rates (ITE 5th Edition)				
(Mon-Fri) Health/Fitness Club [ITE 492]	Per KSF	4.73	3.93	8.87
(Sat-Sun) Health/Fitness Club [ITE 492]	Per KSF	3.26	2.59	5.67
1408 38th Avenue				
(Mon-Fri) Proposed Agility Boulders	6.012 KSF	28	24	53
(Sat-Sun) Proposed Agility Boulders	6.012 KSF	20	16	34
Notes:				
Average, 33%, and 85% peak parking demand based on land use rates from the Institute of Traffic Engineers Parking Generation 5th Edition				
Proposed land uses assumed based on project description from applicant				

Project Parking Analysis

The project is in the coastal zoning area and subject to conditions in City of Capitola Municipal Code Title 17 Zoning – Coastal Areas; however, this section does not specify minimum parking standards for the project land use in section 17.51.130. For purposes of this analysis, a retail use was assumed for the project which requires one (1) vehicle parking space per 240 square-feet of enclosed gross floor area. This section of the Municipal Code does requires bicycle parking for commercial properties with more than 10 parking spaces but does not specify how many.

Capitola Municipal Code Title 17 Zoning – Outside Coastal Areas states minimum on-site vehicle parking requirements for commercial land uses that provide personal services and fitness. Per Section 17.76.030 and Table 17.76-2 the project land use requires one (1) vehicle parking space per 300 square-feet of enclosed gross floor area. In addition, Section 17.76.080 and Table 17.76-6 states minimum on-site bicycle parking requirements. Nonresidential uses are required to provide short-term bike parking equal to 10% of required vehicle spaces and one (1) long-term bike parking space per 20 required vehicle spaces for uses greater than 10,000 square-feet.

Based on City coastal zoning parking code, the project would be required to provide a minimum of 25 vehicle spaces. Per City outside coastal zoning parking code, the project would be required to provide a minimum of 20 vehicle spaces, two (2) short-term bike spaces, and one (1) long-term bike space for the 6,012 square-foot facility.

Attachment: 1408 38th Avenue - Parking Study - Kimley-Horn and Associates (1404 38th Avenue)

The proposed project site plan will provide a total on-site parking supply of 56 vehicle spaces and 20 long-term bike spaces. This proposed parking supply would satisfy the project’s ITE parking demand and applicable City parking standards. **Table 3** summarizes the minimum vehicle and bicycle parking.

Table 3: Project Parking Summary

CODE / STANDARD	PARKING TYPE	LAND USE	PARKING STANDARD	PARKING DEMAND/MINIMUM	PROPOSED SUPPLY	SUFFICIENT PARKING?
ITE Parking Demand	Vehicle	Health/Fitness Club [ITE 492]	See Table 2 for ITE parking rates	28 spaces (Mon-Fri) 20 spaces (Sat-Sun)	56 spaces (Including 3 ADA)	Yes
Capitola Coastal Areas	Vehicle	Commercial - Retail	1 per 240 SQFT	25 spaces	56 spaces (Including 3 ADA)	Yes
Capitola Coastal Areas	Bicycle	Commercial	Commercial sites with more than 10 parking spaces: bicycle parking required	Unspecified	20 spaces	Yes
Capitola Outside Coastal Areas	Vehicle	Commercial - Personal Service	1 per 300 SQFT	20 spaces	56 spaces (Including 3 ADA)	Yes
Capitola Outside Coastal Areas	Bicycle	Nonresidential	Short-Term: 10% required vehicle parking Long-Term: 1 per 20 required vehicle parking	3 spaces (2 short-term and 1 long-term)	20 spaces (long-term)	Yes

Conclusion / Recommendations

The proposed rock-climbing gym is expected to generate more net vehicle trips than the existing warehouse use that would be replaced; however, the total net project trips do not exceed Caltrans trip generation thresholds for determining the need for a traffic impact study. The project is not anticipated to create a significant impact to traffic operations for the surrounding roadway network.

The project site will provide on-site parking spaces that exceed average ITE parking demand requirements. Therefore, the project is not anticipated to create a significant impact to its on-site parking condition.

Appendix

1. Project site plan by Helland Architecture (6/25/2019)



STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: AUGUST 1, 2019
 SUBJECT: **207 Saxon Avenue #18-0278 APN: 036-122-06**

Design Permit and Conditional Use Permit for reconstruction of an historic detached garage with a Variance for the side setback, rear setback, and nonconforming structural alteration limit located on the same parcel as an historic single-family home within the R-1 (Single-Family) zoning district.

This project is in the Coastal Zone and requires a Coastal Development Permit which is appealable to the California Coastal Commission after all possible appeals are exhausted through the City.
 Environmental Determination: Categorical Exemption
 Property Owner: 207 Saxon LLC
 Representative: 207 Saxon LLC (John Nicholson) Filed: 06.13.2018

APPLICANT PROPOSAL

The applicant is proposing to reconstruct a 487-square-foot historic garage in the R-1 (Single-Family Residential) zoning district. The new garage, when completed, will be in the same location as the existing garage and will look exactly the same.

BACKGROUND

The Architectural and Site Review Committee reviewed the application on July 10, 2019, and provided the applicant with the following direction:

Public Works Representative, Kailash Mozumder: informed the applicant that the Capitola best management practices (BMP) sheet should be included in the building permit plan set.

Building Official, Robin Woodman: informed the applicant that one-hour fire rated wall assemblies will be required on the north (side) and west (rear) walls due to their close proximity to the property lines.

Local Architect, Frank Phanton: had no comments.

Local Historian, Carolyn Swift: was not present, but provided comments via email. Mrs. Swift agreed with the architectural historian's analysis.

Associate Planner, Matt Orbach: had no comments.

DISCUSSION

The existing residence at 207 Saxon Avenue is an historic one-story single-family home with a nonconforming historic detached garage located in the rear yard. The residence and garage are located on two merged typical 40 foot by 100 foot lots, totaling 8,000 square feet, which is large by Capitola standards.

The applicant is proposing to reconstruct a 487-square-foot garage in the rear yard. Because the detached garage is historic, nonconforming in terms of setbacks, and located in the appealable area of the Coastal Zone, the project requires a Design Permit, Conditional Use Permit, and an appealable Coastal Development Permit, as well as a variance for the side and rear setbacks and to exceed the nonconforming structural alteration limit.

R-1 (Single Family Residential) Zoning District

Development Standards		
Floor Area Ratio (FAR)		
Lot Size	8,000 sq. ft.	
Maximum Floor Area Ratio	48% (Max 3,840 sq. ft.)	
First Story Floor Area	1,817 sq. ft. (incl. garage)	
TOTAL FAR	1,817 sq. ft. (23%)	
Yards		
	R-1 Regulation	Proposed
Front Yard - House	15 ft.	15 ft.
Side Yard - House	10% lot width Lot width 80 ft. 7 ft. min.	5 ft. (south side) 25 ft. 3 in. (north side) Existing Nonconforming
Rear Yard - House	20% of lot depth Lot depth 100 ft. 20 ft. min.	29 ft. 8 in.
Detached Garage Setbacks	20 ft. from front lot line 8 ft. from rear lot line 3 ft. from side lot line	78 ft. 6 in. from front lot line 5 in. from rear lot line 2 ft. 2 in. from side lot line Existing Nonconforming
Encroachments (list all)	Detached garage encroaches into side & rear yard setbacks.	
Parking		
	Required	Proposed
Residential (from 1,501 up to 2,000 sq. ft.)	2 spaces total 1 covered 1 uncovered	5 spaces total 1 covered 4 uncovered
	Complies with Standards?	List non-compliance
Garage	No	Side & Rear Yard Setback Encroachment
Underground Utilities: Required w/ 25% increase in area		Not required.

The detached garage consists of two low shed-roofed wings. The main wing has a square footprint. The exterior is clad with rough-sawn board-and-batten siding. The roof has a low slope that drains to the rear of the property. The roof has almost no overhang, and the structure is trimmed with a flat-board fascia. The rear (west) of the roof is sloped to provide side drainage. The structure has a wood foundation and floorboards without joists.

Design Permit

The applicant is proposing to reconstruct the garage, which will include adding a foundation with floorboards and floor joists. Demolition of the existing structure will be performed by hand, saving as much of the original redwood material as possible. The existing garage doors, side entry door, floorboards, and roof joists will also be saved to the extent possible. Saved material will be incorporated into the reconstruction of the structure, with priority for the recycled material being given to the south and east elevations, which are the most visible. On the other two elevations, where there might not be enough saved material available, the applicant is proposing to use 5/8-inch rough sawn plywood with redwood batts to match the existing appearance of the structure. Wood windows will be installed on the south and east elevations. The garage, when completed, should look virtually the same as the existing garage.

Conditional Use Permit

The proposed project includes a significant alteration to the historic structure at 207 Saxon Avenue. Significant alterations to a historic structure require approval of a Conditional Use Permit by the Planning Commission. Also, historic resources are identified as environmental resources within the California Environmental Quality Act (CEQA). Any modification to a historic resource must comply with the Secretary of Interior Standards to qualify for a CEQA exemption.

Architectural Historian Leslie Dill reviewed the project for compatibility with the *Secretary of the Interior's Standards for Rehabilitation* and found that, with a modification of the plans to include a clear scope of the construction repair and replacement and wood windows, that the authenticity of the property and potential historic district would be preserved. Reconstruction of a historic structure is an accepted form of preservation. After receiving Mrs. Dill's comments, the applicant made the suggested modifications.

Variance

The applicant is seeking approval of a variance for the side setback and rear setback, and nonconforming structural alteration limit. The existing garage is nonconforming because it encroaches into the required side and rear yard setbacks. In addition, nonconforming structures are not allowed to exceed the 80 percent maximum valuation of the present fair market value of the structure. The entire historic structure is proposed for reconstruction, resulting in all new conditioned space and 100 percent valuation. The proposed reconstruction is not permissible without a variance.

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

- A. That because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings, the strict application of this title is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification;

The special circumstance applicable to the subject property is that the home and garage are historic and are protected within the municipal code and under CEQA. The variance would allow the historic garage to maintain its relationship with the historic residence on the property, thereby preserving the authenticity of the property and the potential historic district in the area in which the property is located.

- B. That the grant of a variance permit would not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which subject property is situated.

Multiple adjacent properties also have garages and accessory structures located in their required rear and side yard setbacks, so a variance to allow reconstruction of the nonconforming garage would not constitute a special privilege inconsistent with limitations on other properties in the vicinity and zone in which the property is situated.

CEQA

Section 15303(e) of the CEQA Guidelines exempts accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences. No adverse environmental impacts were discovered during review of the proposed project.

RECOMMENDATION

Staff recommends the Planning Commission review the application and approve project application #18-0278.

CONDITIONS OF APPROVAL

1. The project approval consists of reconstruction of a 487-square-foot historic detached garage with a variance for the side yard setback, rear yard setback, and to exceed the nonconforming structural alteration maximum limit. The maximum Floor Area Ratio for the 8,000-square-foot property is 48% (3,840 square feet). The total FAR of the project is 23% with a total of 1,817 square feet, compliant with the maximum FAR within the zone. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on August 1, 2019, 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, all Planning fees associated with permit #18-0278 shall be paid in full.
7. Prior to issuance of building permit, Affordable housing in-lieu fees shall be paid as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance.
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 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
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.
19. Secretary of the Interior's Standards and Guidelines for preservation, rehabilitation,

restoration, or reconstruction shall be followed.

- a. Prior to disassembly of the garage, the applicant shall catalog all existing details of the structure. Once the existing structure is ready to be disassembled, the applicant is required to have an inspection by the City Planner and Building Inspector to ensure all existing materials are documented in accordance with the preservation plan. Existing materials must be stored in a weatherproof area.
- b. Any removal of existing building materials or features on historic buildings shall be approved by the Community Development Department prior to removal.
- c. The applicant and/or contractor shall field verify all existing conditions on historic buildings and match replacement elements and materials according to the approved plans. Any discrepancies found between approved plans, replacement features and existing elements must be reported to the Community Development Department for further direction, prior to construction.

FINDINGS

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

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. With a variance for the side setback, rear setback, and nonconforming structural alteration limit, the reconstruction of the historic detached garage complies with the development standards of the R-1 (Single-Family Residential) District. The project secures the purpose of the Zoning Ordinance, General Plan, and Local Coastal Plan.

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

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the application for the reconstruction of the historic detached garage. The design of the garage with recycled materials from the existing historic garage and wood replacement windows will fit in nicely with the existing neighborhood. The project will maintain the character and integrity of the neighborhood.

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

Section 15303(e) of the CEQA Guidelines exempts accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences. This project involves reconstruction of an historic detached garage within the R-1 (Single-Family Residential) zoning district. No adverse environmental impacts were discovered during review of the proposed project.

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

The special circumstance applicable to the subject property is that the existing home and garage are historic, and are protected under the Capitola Municipal Code, the General Plan, and the California Environmental Quality Act (CEQA). The applicant has requested a variance to the side yard and rear yard setbacks and to exceed the permissible structural alterations to non-conforming structures maximum limit in order to preserve the historic garage in place. Multiple other historic properties on Depot Hill have had similar variances approved, so the strict application of the municipal code would deprive

the subject property of privileges enjoyed by other properties in the vicinity and under identical zoning classification.

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

The subject property contains a historic residence and garage. The historic resource is protected under the Capitola Municipal Code, the General Plan, and the California Environmental Quality Act (CEQA). The variance to the side yard and rear yard setbacks and to exceed the permissible structural alteration maximum limit for non-conforming structures will preserve the character and location of the existing historic structures. The grant of this variance would not constitute a special privilege because many Depot Hill properties similarly do not comply with setback requirements and were approved with variances that allowed them to exceed the permissible structural alteration limit for non-conforming structures.

COASTAL FINDINGS

D. Findings Required.

1. **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:**
 - a. A statement of the individual and cumulative burdens imposed on public access and recreation opportunities based on applicable factors identified pursuant to subsection (D)(2) of this section. The type of affected public access and recreation opportunities shall be clearly described;
 - b. An analysis based on applicable factors identified in subsection (D)(2) of this section of the necessity for requiring public access conditions to find the project consistent with the public access provisions of the Coastal Act;
 - c. A description of the legitimate governmental interest furthered by any access conditioned required;
 - d. An explanation of how imposition of an access dedication requirement alleviates the access burdens identified.
 - 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:
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.**
 - 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 buildout. 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 207 Saxon Avenue. The home is not located in an area with coastal access. The home will not have an effect on public trails or beach access.
- b. Shoreline Processes. Description of the existing shoreline conditions, including beach profile, accessibility and usability of the beach, history of erosion or accretion, character and sources of sand, wave and sand movement, presence of shoreline protective structures, location of the line of mean high tide during the season when the beach is at its narrowest (generally during the late winter) and the proximity of that line to existing structures, and any other factors which substantially characterize or affect the shoreline processes at the site. Identification of anticipated changes to shoreline processes at the site. Identification of anticipated changes to shoreline processes and beach profile unrelated to the proposed development. Description and analysis of any reasonably likely changes, attributable to the primary and cumulative effects of the project, to: wave and sand movement affecting beaches in the vicinity of the project; the profile of the beach; the character, extent, accessibility and usability of the beach; and any other factors which characterize or affect beaches in the vicinity. Analysis of the effect of any identified changes of the project, alone or in combination with other anticipated changes, will have upon the ability of the public to use public tidelands and shoreline recreation areas;
- The proposed project is located along Saxon Avenue. No portion of the project is located along the shoreline or beach.
- c. Historic Public Use. Evidence of use of the site by members of the general public for a continuous five-year period (such use may be seasonal). Evidence of the type and character of use made by the public (vertical, lateral, blufftop, etc., and for passive and/or active recreational use, etc.). Identification of any agency (or person) who has maintained and/or improved the area subject to historic public use and the nature of the maintenance performed and improvements made. Identification of the record owner of the area historically used by the public and any attempts by the owner to prohibit public use of the area, including the success or failure of those attempts. Description of the potential for adverse impact on public use of the area from the proposed development (including but not limited to, creation of physical or psychological impediments to public use);
- There is not a history of public use on the subject lot.

- d. **Physical Obstructions.** Description of any physical aspects of the development which block or impede the ability of the public to get to or along the tidelands, public recreation areas, or other public coastal resources or to see the shoreline;
- The proposed project is located on private property at 207 Saxon 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.
- 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.
- 3. 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 accessway on the subject land.
- The project is not requesting a Public Access Exception, therefore these findings do not apply.
- 4. Findings for Management Plan Conditions. Written findings in support of a condition requiring a management plan for regulating the time and manner or character of public access use must address the following factors, as applicable:**
- a. Identification and protection of specific habitat values including the reasons supporting the conclusions that such values must be protected by limiting the hours, seasons, or character of public use;
 - The project is located in a residential area without sensitive habitat areas.
 - b. Topographic constraints of the development site;
 - The project is located on a flat lot.

- c. Recreational needs of the public;
 - The project does not impact the 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.

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.

6. Project complies with visitor-serving and recreational use policies;

SEC. 30222

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

- The project involves the reconstruction of a historic garage on a residential lot of record.

SEC. 30223

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

- The project involves the reconstruction of a historic garage on a residential lot of record.

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

- The project involves the reconstruction of a historic garage on a residential lot of record.

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

- The project involves the reconstruction of a historic garage. The project complies with applicable standards and requirements for provision for parking, pedestrian access, alternate means of transportation, and/or traffic improvements.
- 8. Review of project design, site plan, signing, lighting, landscaping, etc., by the city's architectural and site review committee, and compliance with adopted design guidelines and standards, and review committee recommendations;**
- The project complies with the design guidelines and standards established by the Municipal Code.
- 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.
- 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.
- 11. Provisions of minimum water flow rates and fire response times;**
- The project is located 0.3 miles from the Central Fire Protection District Capitola Station. Water is available at the location.
- 12. Project complies with water and energy conservation standards;**
- The project is for the reconstruction of a historic garage. 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.
- 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.
- 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.
- 15. Project complies with natural resource, habitat, and archaeological protection policies;**
- Conditions of approval have been included to ensure compliance with established policies.
- 16. Project complies with Monarch butterfly habitat protection policies;**

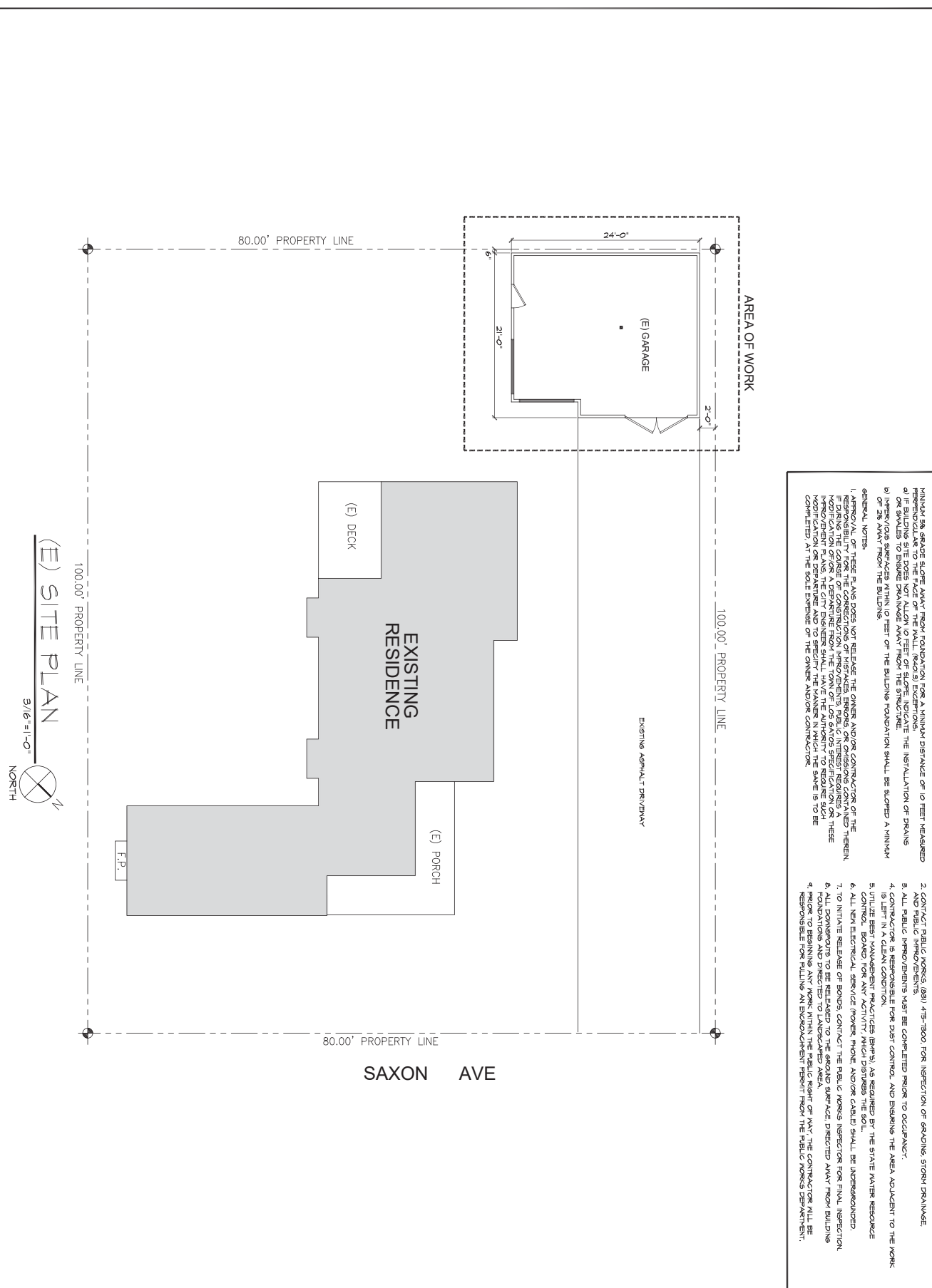
- The project is outside of any identified sensitive habitats, specifically areas where Monarch Butterflies have been encountered, identified and documented.
- 17. Project provides drainage and erosion and control measures to protect marine, stream, and wetland water quality from urban runoff and erosion;**
- Conditions of approval have been included to ensure compliance with applicable erosion control measures.
- 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;**
- Conditions of approval have been included to ensure the project applicant shall comply with all applicable requirements of the most recent version of the California Building Standards Code.
- 19. All other geological, flood and fire hazards are accounted for and mitigated in the project design;**
- Conditions of approval have been included to ensure the project complies with geological, flood, and fire hazards and are accounted for and will be mitigated in the project design.
- 20. Project complies with shoreline structure policies;**
- The proposed project is not located along a shoreline.
- 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 R-1 zoning district.
- 22. Conformance to requirements of all other city ordinances, zoning requirements, and project review procedures; and**
- The project conforms to the requirements of all city ordinances, zoning requirements, and project development review and development procedures.
- 23. Project complies with the Capitola parking permit program as follows:**
- a. The village area preferential parking program areas and conditions as established in Resolution No. 2596 and no permit parking of any kind shall be allowed on Capitola Avenue.
 - b. The neighborhood preferential parking program areas are as established in Resolution Numbers 2433 and 2510.
 - c. The village area preferential parking program shall be limited to three hundred fifty permits.
 - d. Neighborhood permit areas are only in force when the shuttle bus is operating except that:

- i. The Fanmar area (Resolution No. 2436) program may operate year-round, twenty-four hours a day on weekends,
 - ii. The Burlingame, Cliff Avenue/Grand Avenue area (Resolution No. 2435) have year-round, twenty-four hour per day “no public parking.”
 - e. Except as specifically allowed under the village parking program, no preferential residential parking may be allowed in the Cliff Drive parking areas.
 - f. Six Depot Hill twenty-four minute “Vista” parking spaces (Resolution No. 2510) shall be provided as corrected in Exhibit A attached to the ordinance codified in this section and found on file in the office of the city clerk.
 - g. A limit of fifty permits for the Pacific Cove parking lot may be issued to village permit holders and transient occupancy permit holders.
 - h. No additional development in the village that intensifies use and requires additional parking shall be permitted. Changes in use that do not result in additional parking demand can be allowed and exceptions for onsite parking as allowed in the land use plan can be made.
- The project site is not located within the area of the Capitola parking permit program.

ATTACHMENTS:

1. 207 Saxon Avenue - Full Plan Set - 06.18.2019
2. 207 Saxon Avenue - Survey - 07.03.2019

Prepared By: Matt Orbach
Associate Planner



MINIMUM 18' GRADE SLOPE AWAY FROM FOUNDATION FOR A MINIMUM DISTANCE OF 10 FEET MEASURED PERPENDICULAR TO THE FACE OF THE WALL. (MAY BE EXCEPTED)

a) IF BUILDING SITE DOES NOT ALLOW 10 FEET OF SLOPE, INDICATE THE INSTALLATION OF DRAINAGE OR SWALES TO REMOVE DRAINAGE AWAY FROM THE STRUCTURE.

b) IF SWALES EXCEED 10 FEET FROM THE BUILDING FOUNDATION, THEY SHALL BE SLOPED A MINIMUM OF 2% AWAY FROM THE BUILDING.

GENERAL NOTES:

1. RESPONSIBILITY FOR THE CORRECTIONS OF MISTAKES, ERRORS OR OMISSIONS CONTAINED HEREIN, IF DURING THE COURSE OF CONSTRUCTION IMPROVEMENTS, PUBLIC INTEREST REQUIRES A MODIFICATION OF THESE PLANS, THE CITY ENGINEER SHALL HAVE THE AUTHORITY TO REQUEST SUCH MODIFICATION OR DEVIATION, AND TO SPECIFY THE MANNER IN WHICH THE SAME IS TO BE COMPLETED, AT THE SOLE EXPENSE OF THE OWNER AND/OR CONTRACTOR.
2. CONTACT PUBLIC WORKS (891) 478-1300 FOR INSPECTION OF GRADING, STORM DRAINAGE AND PUBLIC IMPROVEMENTS.
3. ALL PUBLIC IMPROVEMENTS MUST BE COMPLETED PRIOR TO OCCUPANCY.
4. CONTRACTOR IS RESPONSIBLE FOR DUST CONTROL AND SHIELDING THE AREA ADJACENT TO THE WORK IS LEFT IN A CLEAN CONDITION.
5. UTILIZE BEST MANAGEMENT PRACTICES (BMPs), AS REQUIRED BY THE STATE WATER RESOURCE CONTROL BOARD FOR ANY ACTIVITY WHICH DISTURBS THE SOIL.
6. ALL NEW ELECTRICAL SERVICE (POWER PHONE, AND/OR CABLE) SHALL BE UNDERGROUND.
7. TO INITIATE RELEASE OF BONDS, CONTACT THE PUBLIC WORKS INSPECTOR FOR FINAL INSPECTION.
8. ALL DOWNSPOUTS TO BE RELEASED TO THE GRADE SURFACE DIRECTED AWAY FROM BUILDING.
9. PRIOR TO BEGINNING ANY WORK WITHIN THE PUBLIC RIGHT OF WAY, THE CONTRACTOR SHALL BE RESPONSIBLE FOR FILLING AN ENCROACHMENT PERMIT FROM THE PUBLIC WORKS DEPARTMENT.

CHARLES L. CUNNINGHAM ARCHITECT

POB 718 LOS GATOS
 CA 95031 6893
 TEL: 415-344-5012
 FAX: 831-722-4886

NICHOLSON FAMILY RESIDENCE

397 SAXON AVE
 CAFFRUA, CA 96010
 SANTA CRUZ COUNTY, CA
 A.P. N. 038-12-206

Scale: 3/16" = 1'-0"

Drawn: [Name]

Checked: [Name]

Project: [Name]

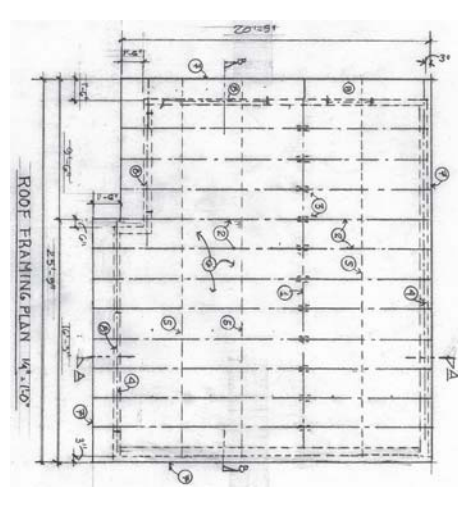
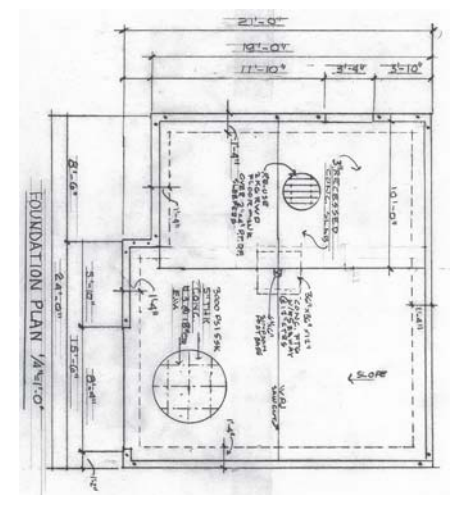
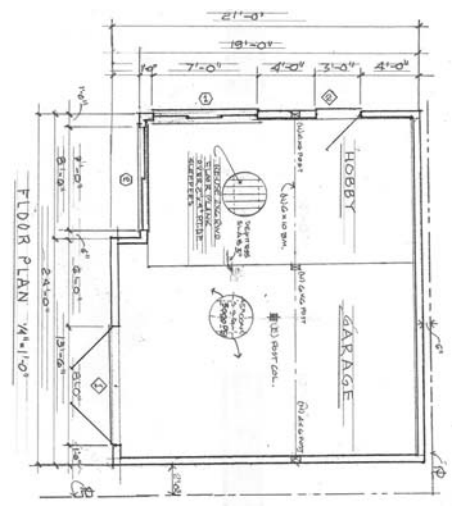
DO NOT SCALE PLANS

Sheet Description: SITE PLAN

Revision:

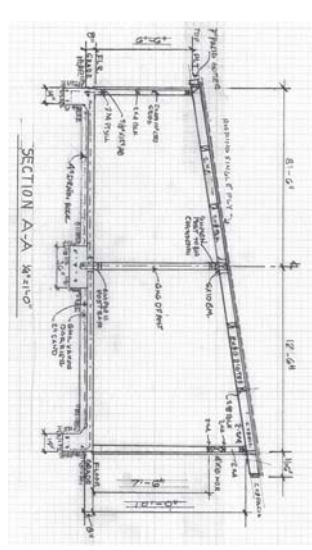
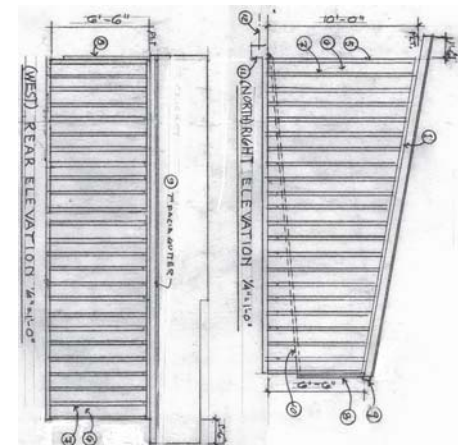
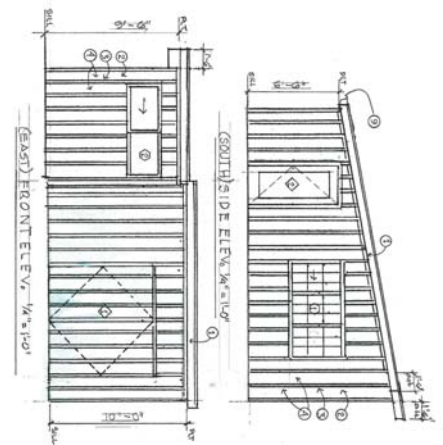
Revision	Date

A-1



- ROOF FRAMING & NOTES:**
1. 2x10 OR 2x12 RAFTERS, 24" ON CENTER
 2. 2x8 OR 2x10 TRUSSES, 24" ON CENTER
 3. 5/8" DIA. STEEL BOLTS AT JOINTS
 4. 2x8 OR 2x10 BRACING AT JOINTS
 5. 2x10 OR 2x12 SHEATHING 3/4" OSB SHEATHING
 6. 1/2" OSB FLOORING OVER SHEATHING - 1/2" AIR SPACE BELOW
 7. 4x10 OR 4x12 POSTS, 24" ON CENTER

1. 4x4 OR 4x6 POSTS, 24" ON CENTER
2. 4x4 OR 4x6 BRACING, 24" ON CENTER
3. 4x4 OR 4x6 TRUSSES, 24" ON CENTER
4. 4x4 OR 4x6 RAFTERS, 24" ON CENTER
5. 4x4 OR 4x6 BRACING, 24" ON CENTER
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20. 4x4 OR 4x6 BRACING, 24" ON CENTER



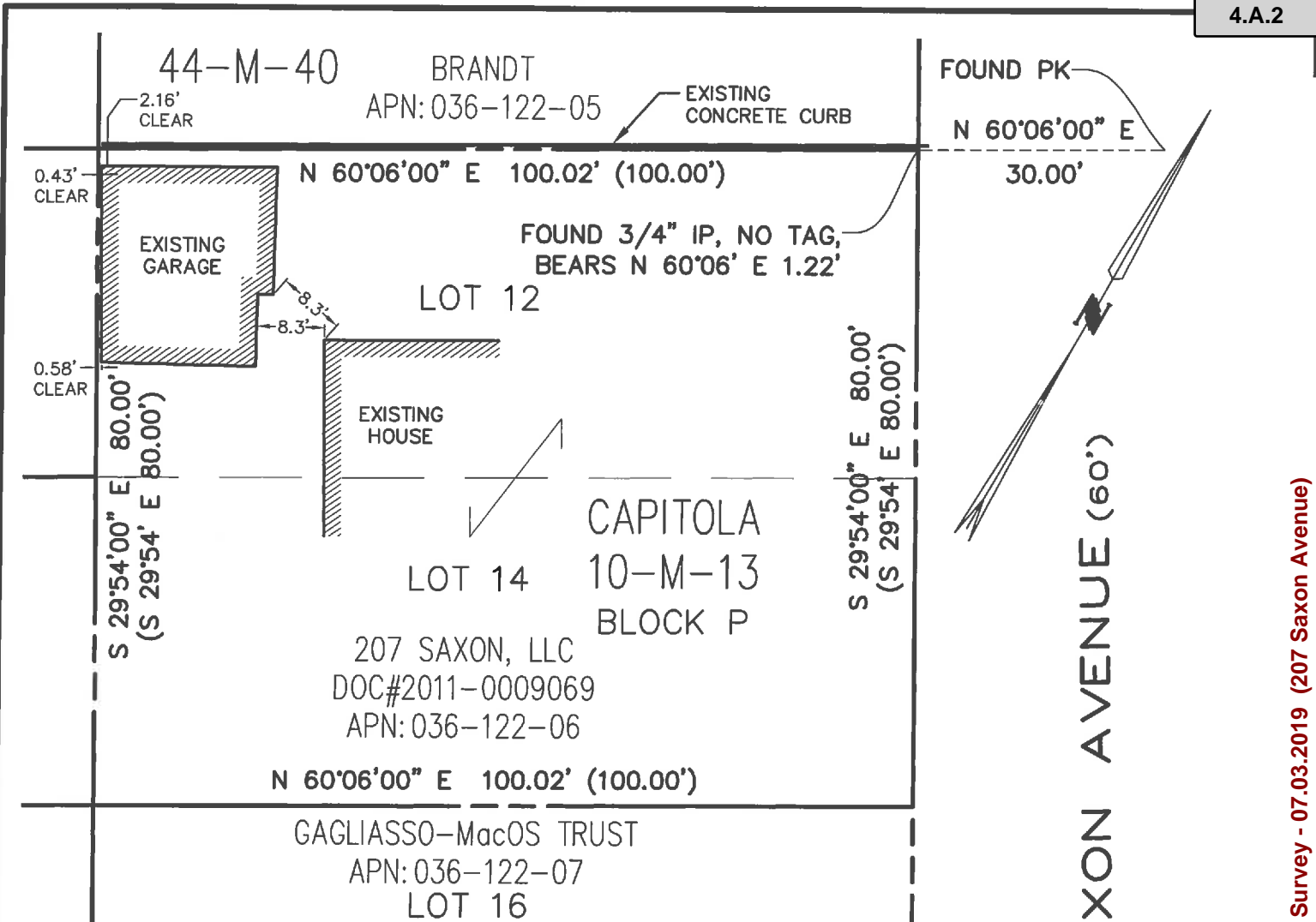
CHARLES L. CUNNINGHAM ARCHITECT
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 APN: 036-12-206

NICHOLSON FAMILY RESIDENCE
 POB 716 JMS 64708
 CA 95031
 LIC: 415-244-5012
 TEL: 831-922-4886
 FAX: 831-922-4886

NO NOT SCALE PLANS

Sheet Description:
 FLOOR PLAN
 FOUNDATION PLAN, ROOF FRAMING PLAN, CROSS SECTION AND NOTES

A-2



BASIS OF BEARINGS

BEARINGS FOR THIS SURVEY ARE BASED ON THE CALCULATED TIE BETWEEN THE SOUTHWEST CORNER OF EDWARDS, AND THE 1/2" IRON PIPE IDENTIFIED AS POINT "A" AS BOTH ARE SHOWN ON THAT MAP FILED IN VOLUME 122 OF MAPS, PAGE 19, SANTA CRUZ COUNTY RECORDS.

NORTH 16°24'32" WEST

LEGEND

- PROPERTY LINE
- 100 DISTANCE MEASURED
- (100) RECORD DATA



GRAPHIC SCALE



1 inch = 20 ft.

DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF

ALPHA LAND SURVEYS, INC.

4444 SCOTTS VALLEY DR. #7 SCOTTS VALLEY, CA 95066 (831) 438-4453	P.O. BOX 1146 MORGAN HILL, CA 95038 (831) 438-4453	SITE MAP LANDS OF NICHOLSON 207 SAXON AVENUE CAPITOLA, CALIFORNIA	SHEET 1
1" = 20'	DATE: 7/2/2019	JOB#: 2019-088	Packet Pg. 55

Attachment: 207 Saxon Avenue - Survey - 07.03.2019 (207 Saxon Avenue)



STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: AUGUST 1, 2019
 SUBJECT: **120 Monterey Avenue #19-0214**

APN: 035-261-10, 035-262-02, 035-262-04, 035-262-11

Conceptual Review to receive guidance on a preliminary development concept for an 88-room hotel including meeting/banquet space, bar/lounge, swimming pool, and 92 onsite parking spaces in the C-V (Central Village) Zoning District. Proposed hotel concept varies in height from two to five stories

This project is a conceptual review; therefore, a Coastal Development Permit is not required.

Owner: Green Valley Corporation

Representative: Swenson Builders, Filed: 05.03.2019

APPLICANT PROPOSAL

The applicant is seeking concept guidance on a development for a five-story, 88-room hotel with 92 onsite parking spaces at 120 Monterey Street in the C-V (Central Village) zoning district.

BACKGROUND

The property is the original site of the Capitola Hotel, which was built between 1894 and 1904. That hotel was four stories with a total of 160 rooms. After 25 years of operating, the Capitola Hotel was destroyed in a fire in 1929. The site was next occupied by the Capitola Theater from 1948 to 2010, when it was torn down and a temporary parking lot was installed with the understanding that the property owners intended to submit plans for a hotel project in the future. The parking lot is still in use.

In the past decade, the City has focused numerous long-range planning discussions on future redevelopment of the 120 Monterey Avenue site and created goals, policies, and actions within the new General Plan (adopted in 2014) specifically incentivizing a hotel at the site through increased floor area ratio (FAR) and height.

Action LU-7.3 – Hotel Floor Area Ratio. Hotels in the Village may be developed with a maximum FAR of 3.0 if authorized by the City Council. To approve a request for an increased FAR, the City Council must find that 1) the additional FAR results in a superior project with substantial community benefit; 2) the project enhances economic vitality; and 3) the project is designed to minimize adverse impacts to neighboring properties.

More recently, the guidance in the General Plan has been implemented in the zoning code within Chapter 17.88: Incentives for Community Benefits (Attachment 3). This chapter identifies allowances for an increased floor area ratio of 3.0 and increased height on the site in conjunction with the property owner providing community benefits. The zoning code was adopted by the City Council in 2018 but is pending adoption by the California Coastal Commission. The new code does not yet apply to the site.

Analysis

The property owner indicates that they plan to submit an official application for a hotel once the new zoning code is adopted by the Coastal Commission. Typically, a project is reviewed under the development standards in the code at the time of application. At the request of the applicant, the conceptual review will be analyzed under 2018 zoning code which is pending Coastal Commission certification. This will allow the applicant the opportunity to continue working on the conceptual design in preparation for an application submittal once the code is certified.

All applications seeking the increased incentives within Chapter 17.88 require conceptual review by both Planning Commission and City Council. The applicant will be required to submit an updated conceptual review after Coastal Commission certification of the code if they ultimately seek the incentives included in the updated zoning code. The future application would also be required to include additional analysis on community benefits. Also, as drafted the new code will require story poles on the site during the required conceptual review.

Development Standards

The following table includes the development standards of the 2018 zoning code including the available incentives for height and FAR established in Chapter 17.88.

Development Standards for the MU-V Zoning District

MU-V	
Site Requirements	
Floor Area Ratio, Maximum	2.0
Parking and Loading	One space for each guest room for hotels, with additional spaces for owners and employees determined by the Planning Commission
Structure Requirements	
Setbacks	
Front	Min: 0 ft. Max: 15 ft.
Rear	None
Interior Side	None
Street Side	Min: 0 ft. Max: 15 ft.
Height, Maximum	27 ft.
Incentives	
Floor Area Ratio, Maximum	3.0
Height	<ul style="list-style-type: none"> • Maximum height of the hotel remains below the elevation of the bluff behind the hotel; and • The bluff behind the hotel remains visible from the Capitola wharf as a green edge with existing mature trees maintained on site.

The proposed project site is less than an acre at 28,924 square feet. With a FAR of 3.0, the maximum floor area is three times the size of the property, or 86,772 square feet. The floor area of the proposed hotel is 75,900 square feet (2.62 FAR). This does not include the underground parking garage (which is located below grade and not visible from the street).

The proposed building height, measured from the assumed ground surface to the top of the elevator mechanical room on top of the fifth floor, is 58 feet.

General Plan

The General Plan policy LU-7.5 establishes hotel guiding principles. Any new hotel proposed on the site of the former Capitola Theatre must be consistent with the following guiding principles:

- The design of the hotel should respect the scale and character of neighboring structures and enhance Capitola's unique sense of place.
- The hotel should contribute to the economic vitality of the Village and support an active, attractive, and engaging pedestrian environment.
- The maximum height of the hotel should remain below the elevation of the bluff behind. The bluff behind the hotel should remain legible as a green edge with existing mature trees maintained on site.
- The hotel design should minimize impacts to public views of the beach and Village from Depot Hill.
- Parking for the hotel should be provided in a way that minimizes vehicle traffic in the Village and strengthens the Village as a pedestrian-oriented destination. This could be achieved through remote parking, shuttle services, and valet parking arrangements.

Also, the new zoning code section 17.88.080(B) includes the following specific findings which must be made to allow the development to receive the incentivized height and FAR:

1. The design of the hotel respects the scale and character of neighboring structures and enhances Capitola's unique sense of place.
2. The hotel will contribute to the economic vitality of the Village and support an active, attractive, and engaging pedestrian environment.
3. The hotel design minimizes impacts to public views of the beach and Village from vantage points outside of the Village.
4. Parking for the hotel is provided in a way that minimizes vehicle traffic in the Village and strengthens the Village as a pedestrian-oriented destination.

Although this is a conceptual review, the Planning Commission and City Council should review the proposed project within the context of the General Plan guidance and the zoning code findings.

DISCUSSION

The proposed site is located in the Capitola Village, between the intersection of Monterey Avenue and Capitola Avenue and Esplanade Park. The site is along a major pedestrian thoroughfare between the beach parking lots and the beach. It is one of the last undeveloped sites within the Capitola Village.

Conceptual Review

Conceptual review allows an applicant to receive preliminary, nonbinding input from the Planning Commission and City Council on a proposed project prior to city action on a formal permit application. The applicant is seeking direction on the overall concept including

architecture and design, parking, and circulation. The applicant also requested guidance regarding future development agreement topics, such as water, which will not be discussed during the Planning Commission review of the concept. Also of note, the submitted plans are conceptual and lack necessary detail for a complete zoning review. Additional details will be required at time of official application submittal.

Architectural Design, Massing, and Articulation

The architectural style of the hotel is California Spanish, also known as Spanish Revival. The style is representative of Spanish Colonial architecture originating from the Spanish colonization of the Americas. The style utilizes deep set windows, tile, wood trim, textured stucco finish, ornamental metal work, and incorporates courtyards, patios, and a plaza. The design is reminiscent of mission style architecture found throughout coastal California.

The applicant is proposing a five-story hotel with 88 rooms. The first level would serve the street frontage, with the main hotel entry and a bar and lounge located along Monterey Avenue. The first story includes the front desk, a 2,066-square-foot banquet room, two 720-square-foot meeting rooms, a 417-square-foot board room, a kitchen, and the entry to the underground parking garage off El Camino Medio.

The length of the building frontage on Monterey Avenue along the sidewalk is 265 feet. The long façade on Monterey Avenue is defined by large picture windows and three building penetrations including a main entrance into the hotel, a staircase leading to the second story pool area, and a service access door (shown on the floor plan but not shown on elevations). Only one of the three entrances is accessible by the public along the street.

The building ranges from two to three stories along the front façade. The height of the building along the street ranges from 26 to 38 feet, with the majority of the elevation at two-stories (26 feet) and one three story feature (38 feet). The first story building façade facing El Camino Medio is 159 feet wide.

The second story has 37 guest rooms, a pool, and a 14,635-square-foot pool deck. The building façade facing El Camino Medio is 124 feet. The second-story pool deck connects to a proposed 6,680-square-foot public plaza on top of the existing building that houses the sanitary sewer pump station, public restrooms, and lifeguard storage area. The proposed upper public plaza connects to Esplanade Park by a wide stairway. The public plaza is one of the public benefits proposed for the project and was designed to provide public space to expand the interaction of the park, bandstand, and beach, as well as potentially remodel the lifeguard storage facilities to better serve the community.

The third story has 26 guest rooms, a garden, a 7,439-square-foot upper pool deck, and a 3,447-square-foot seating area with a fire pit. There is one suite proposed on the Monterey Avenue street frontage with a private terrace, which makes the building height in that area 38 feet adjacent to the sidewalk. The rest of the third story is stepped back 35 feet from the street and goes to a height of 41 feet along El Camino Medio. The building façade facing El Camino Medio is 124 feet wide.

As the building increases in height, the massing decreases. The fourth story has 15 guest rooms with no additional hotel amenities. The fourth story is set back 60 feet from the street and is 51 feet in height along El Camino Medio. The building façade facing El Camino Medio is 99 feet wide.

The fifth and final story has 10 guest rooms and an elevator mechanical feature. The fifth story is stepped back 85 feet from the street and is 56.5 feet in height. The elevator mechanical room on the roof of the fifth floor extends to a height of 58 feet. The building façade facing El Camino Medio is 74 feet wide.

The top of the bluff behind the hotel, as presented by the applicant, is 63 feet. The top of the proposed elevator mechanical room is 5 feet under the bluff.

A square-footage breakdown for the proposed hotel is included as Attachment 4.

Parking

The Capitola Municipal Code requires one space for each guest room for hotels, with additional spaces for owners and employees determined by the Planning Commission. The proposed 88-room hotel includes 92 onsite guest parking spaces in an underground parking garage, 45 of which are provided via mechanical lifts, and the utilization of 25-50 parking spaces in the Upper Beach and Village Parking Lot for employee parking, oversized vehicles, and large events (Attachment 1).

The City of Capitola's In-Lieu Parking Fee Program, which was established for new hotel uses in the Village, is contained in Administrative Policy I-33 (Attachment 5). The program allows eligible development projects (new large hotels, as defined in CMC §17.03.320, which provide a valet service) to purchase off-site parking spaces from the City in-lieu of providing on-site parking. An applicant for a large hotel project may request to purchase any or all of the allotted 56 parking spaces designated for the program. Applications must include an economic analysis showing both direct and indirect economic impacts of the proposed project. In order to approve an application, the City Council must make the following findings:

1. The proposed project is consistent with the City's Local Coastal Plan and the Coastal Act
2. Offsite parking for the proposed project would reduce traffic impacts and provide a design more consistent with the historic character of the Village
3. The proposed project will help to facilitate the City's economic development goals

Traffic Circulation Options

The conceptual plan also provides three possible scenarios that could serve the Village and hotel to help mitigate vehicle traffic impacts from the proposed project. The concepts have not been analyzed by a traffic engineer to assess the benefits and shortcomings of each option. Prior to investing in circulation studies, the applicant would like guidance on whether there are preferred options or if there are any options that should not be studied.

Circulation Option 1

Option 1 would make the end of Monterey Avenue a two-way street leading to a roundabout. This would enable the area in front of the hotel entry to be used as a guest drop off/valet area. Staff estimates 14 to 22 street parking spaces would be lost within this option and no new on-street parking is created. The applicant has not determined the maximum size wheel-base truck that would be able to utilize the roundabout. The benefits and impacts would be further studied if directed by the Planning Commission.

Circulation Option 2

Option 2 would reverse traffic on Esplanade through the village. With the reverse traffic pattern, guests would come down Monterey Avenue past Capitola Avenue and turn into a covered guest drop off/valet area adjacent to El Camino Medio. The applicant has not completed an in-depth

study on impacts to street parking spaces and traffic circulation within this option. The benefits and impacts would be further studied if directed by the Planning Commission.

Circulation Option 3

Option 3 would leave the circulation pattern as-is, with the existing street parking spaces removed in front of the hotel entry to allow for a guest drop off/valet area. Three street parking spaces would be lost under this option.

GUIDANCE REQUESTED

The applicant is requesting guidance on the following:

1. Design, Massing, and Articulation. Does the design of the hotel fit within the General Plan guidance to respect the scale and character of neighboring structures and enhance Capitola's unique sense of place?
2. Height. The draft code requires that the maximum height of the hotel is below the elevation of the bluff behind the hotel; and the bluff behind the hotel is visible from the Capitola wharf as a green edge with existing mature trees maintained on site. The concept shows the top of the elevator feature five feet below the top of the bluff. Does the proposed height comply with the guidance of the general plan and draft zoning code? Is the five-foot buffer adequate?
3. Parking. The proposed parking plan includes 92 onsite parking spaces in an underground parking garage and 25-50 in-lieu parking spaces at the upper beach parking lot. Does the Planning Commission support this approach to the parking plan?
4. Traffic Circulation. The applicant provided three concepts for circulation in the village. Should any or all of the three concepts be further studied by a transportation consultant?
5. Public Benefits. Do the economic benefits of a hotel plus the proposed public plaza justify granting increased height and floor area?

ATTACHMENTS:

1. Letter of Project Intent - Revised - 6.3.2019
2. Full Plan Set - 5.21.2019
3. CMC Chapter 17.88 - Incentives for Community Benefits
4. 120 Monterey Avenue - Square Footage Breakdown
5. I-33 In-Lieu Parking Fee Program

Prepared By: Matt Orbach
Associate Planner

June 3, 2019

City of Capitola
 Attn: Development Director Katie Herlihy
 420 Capitola Ave
 Capitola, CA 95010

RE: Conceptual Submittal Statement
 120 Monterey Avenue, Capitola Village Hotel

Dear Director Herlihy and Planning Staff,

Swenson Builders is pleased to submit a Conceptual Review Application to the City of Capitola for the Capitola Village Hotel at the proposed location of 120 Monterey Avenue. The intent of this pre-application submittal is to gain feedback through the Planning Commission, City Council, and the Capitola Community for the proposed hotel concept.

Swenson Builders is proposing a 5-story hotel with 89 rooms and 92 onsite parking spaces. The first two levels serve the street frontage and compatibility of the existing village neighborhood. At each increase of hotel floor from the third-story onward, the building is stepped back towards the bluff with the intent to keep the building at human-scale and mimicking other existing visitor serving buildings placement in the village.

The intent of developing the Capitola Village Hotel is to meet the city's Local Coastal Program and Coastal Commission goals of providing a visiting serving use for the Capitola Village (Central Village) area. The hope is to further accommodate visitors that travel to the popular destination of Capitola Village, provide new Transit Occupant Tax to the city, and stimulate the existing businesses and services within the village and City of Capitola.

The proposed hotel has been designed in accordance with the 2014 Capitola General Plan Guidelines. The original Capitola Hotel that was built between 1894 and 1904 and had 160 rooms and was an iconic landmark within the village. The following general plan policies identify the long term goals of Capitola to establish a hotel in the village:

- LU-6.9 Village Hotel: Consider the establishment of an appropriately designed new hotel in the Village to enhance the vitality of the area.
- LU-7.5 Hotel Guiding Principles: Require any new hotel proposed on the site of the former Capitola Theatre to be consistent with the following core principles:
 - o The design of the hotel should respect the scale and character of the neighboring structures and enhance Capitola's unique sense of place.
 - o The hotel should contribute to the economic vitality of the Village and support an active, attractive, and engaging pedestrian environment.
 - o The maximum height of the hotel should remain below the elevation of the bluff behind. The bluff behind the hotel should remain legible as a green edge with existing mature trees maintained on site.
 - o The hotel design should minimize impacts to public views of the beach and Village from Depot Hill.

- Parking for the hotel should be provided in a way that minimizes vehicle traffic in the Village and strengthen the Village as a pedestrian-oriented destination. This could be achieved through remote parking, shuttle services, and valet parking.
- LU-7.3 Hotel Floor rea Ratio: Hotels in the Village may be developed with a maximum FAR 3.0 if authorized by the City Council. To approve a request for an increased FAR, the City Council must find that 1) the additional FAR results in a superior project with substantial community benefit; 2) the project enhances economic vitality; and, 3) the project is designed to minimize adverse impacts to neighboring properties.

Currently the existing site consists of a privately operated paid parking facility with 26 parking spaces. At the peak of summer each parking space is utilized by four parking spaces per day. This equates to an average of 104 car trips per day through the village to access the parking lot. The intent of the hotel is to convert these daily trips to longer term visitors for the week and/or weekend. The allocated onsite parking of 92 spaces would provide adequate parking for all guests, and the potential 25-50 spaces identified at the Upper Beach and Village Parking Lot could provide parking for employees, oversize vehicles, and large events. The conceptual plans provide three possible scenarios that could serve the Village and Hotel to help mitigate vehicle traffic circulation.

The feasibility of this project will greatly depend on the community feedback we receive, available water credits from the Soquel Water Creek District, the option to purchase/share additional parking stalls at the city's Upper Beach and Village Parking Lot. Swenson Builders would like to discuss entering into a Development Agreement with the City of Capitola solidifying the following items at the appropriate time during the pursuit of entitlements for this project:

- Availability of Water Credits for the Proposed Hotel
- Parking Agreement for Upper Parking Lot Spaces: Minimum of 25 parking spaces paid through deferred TOT tax (Shared Parking or allocated spaces for hotel)
- Traffic Circulation and Road Improvements
- Public Area Improvements proposed for above the public restrooms to be identified

Swenson Builders would greatly appreciate feedback regarding the proposed vehicle circulation scenarios and overall hotel concept.

If you have any questions or need any further information I can be reached at 831-475-7100.

Sincerely,

Jessie Bristow
Development Project Manager
Swenson Builder



HKS
MILL GLAZIER STUDIO

CAPITOLA BEACH HOTEL
CAPITOLA, CALIFORNIA



HKS

MILL GLAZIER STUDIO

CAPITOLA BEACH HOTEL
LEVEL 1 PLAN

1" = 10'-0"











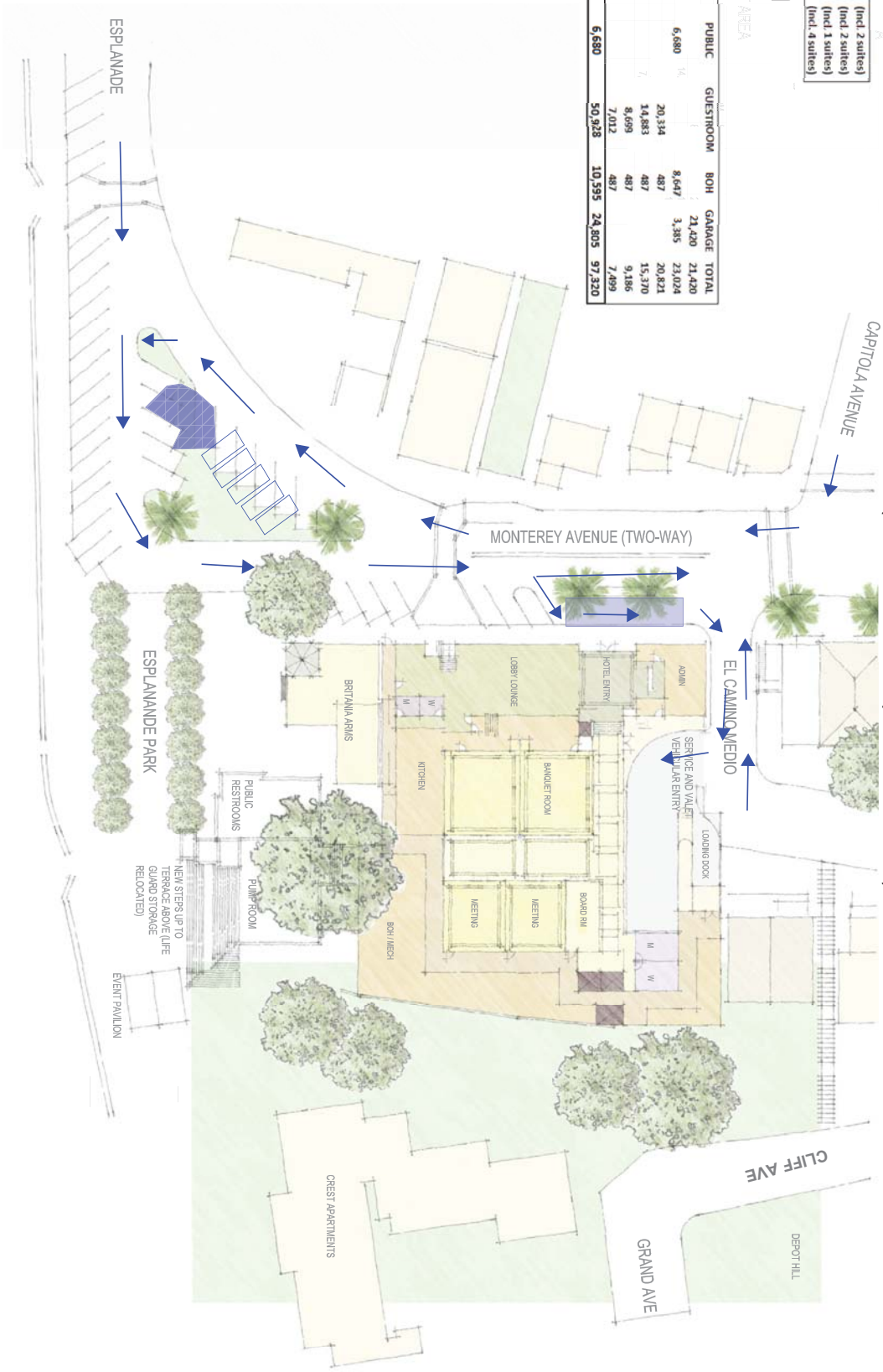
Circulation Option 1:
Adjustment to Round-About and Two-Way Access Segment
(Potential 14-22 Spaces Removed)

PROJECT DATA

LEVEL 2	37	(incl. 2 suites)
LEVEL 3	26	(incl. 2 suites)
LEVEL 4	16	(incl. 1 suites)
LEVEL 5	10	(incl. 4 suites)
TOTAL ROOM	89	

PROJECT AREA

LEVEL	MEETING	PUBLIC	GUESTROOM	BOH	GARAGE	TOTAL
1	4,312	6,680		8,647	21,420	21,420
2			20,334	487		20,821
3			14,883	487		15,370
4			8,699	487		9,186
5			7,012	487		7,499
TOTALS	4,312	6,680	50,928	10,595	24,805	97,320



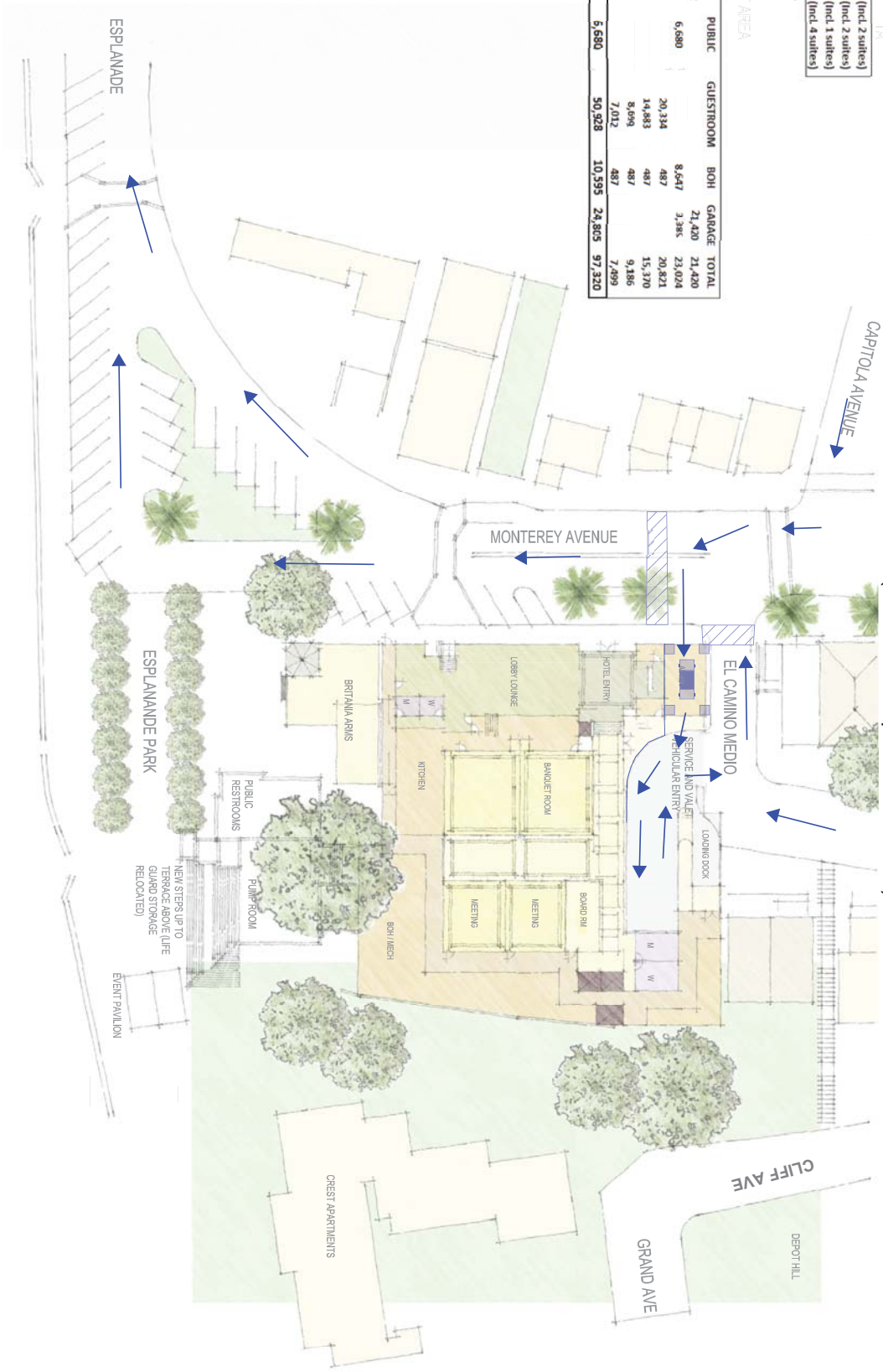
**Circulation Option 2:
Reverse Traffic on the Esplanade
(Potential 0 spaces removed)**

PROJECT DATA

LEVEL 2	37	(Incl. 2 suites)
LEVEL 3	26	(Incl. 2 suites)
LEVEL 4	16	(Incl. 1 suite)
LEVEL 5	10	(Incl. 4 suites)
TOTAL ROOM	89	

PROJECT AREA

LEVEL	MEETING	PUBLIC	GUESTROOM	BOH	GARAGE	TOTAL
BG	4,312	6,680	20,134	8,647	21,420	21,420
1			14,983	487	20,821	20,821
2			8,699	487	15,370	15,370
3			7,012	487	7,499	7,499
4						
5						
TOTALS	4,312	6,680	50,928	10,595	24,805	97,320



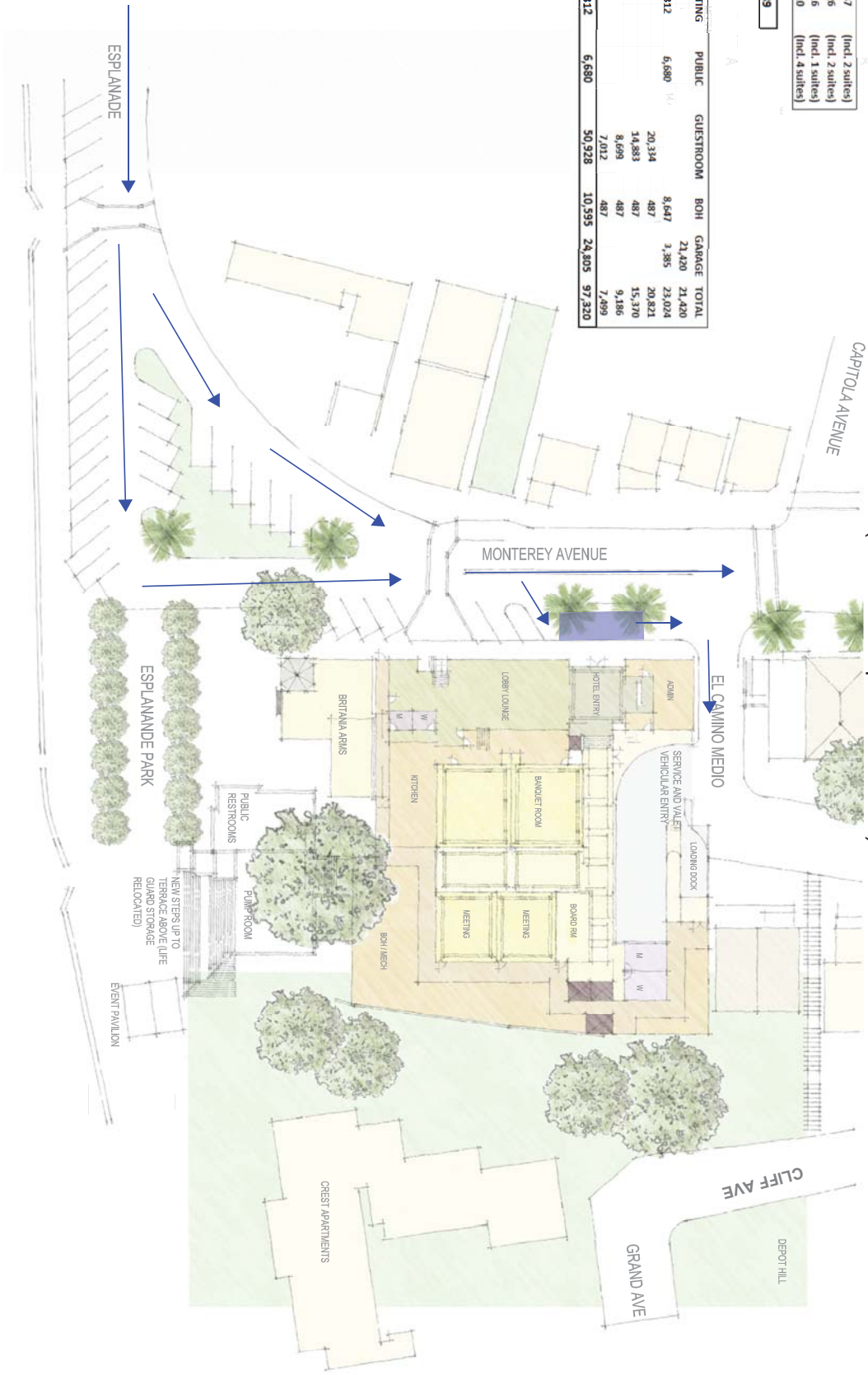
Circulation Option 3:
AS-IS
(Potential 3 spaces removed)

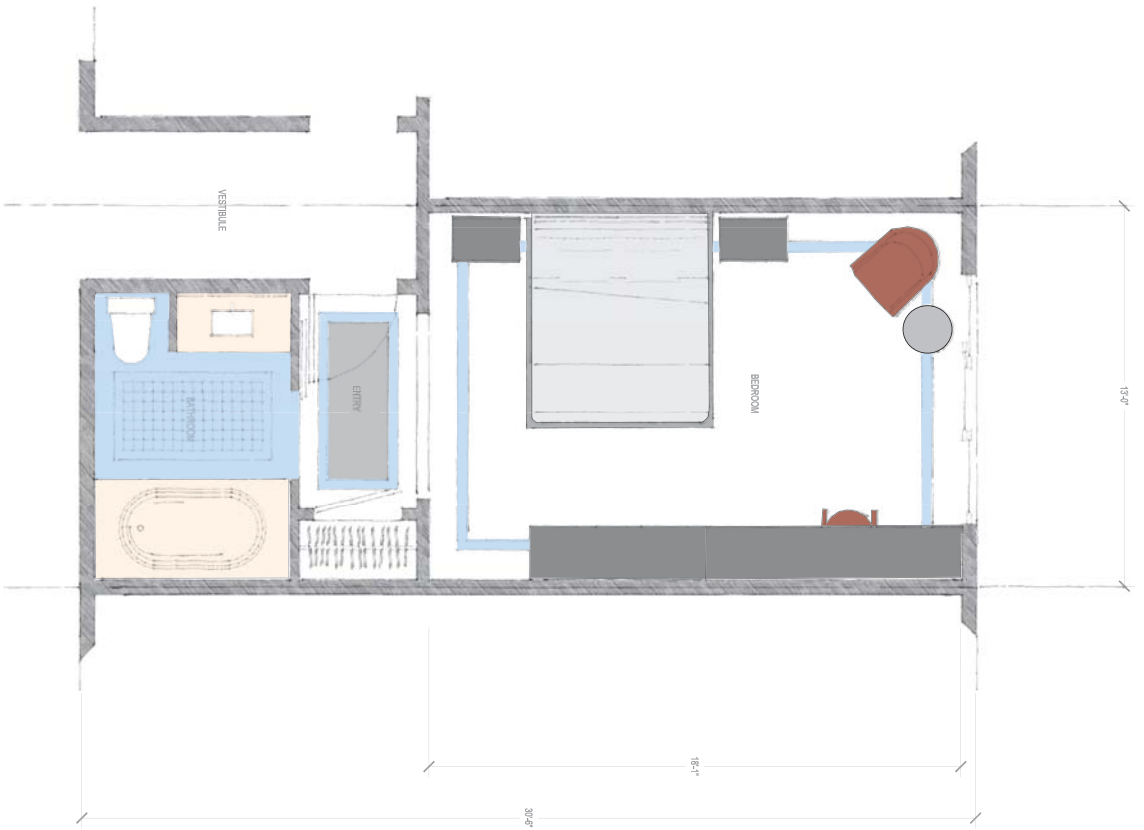
PROJECT DATA

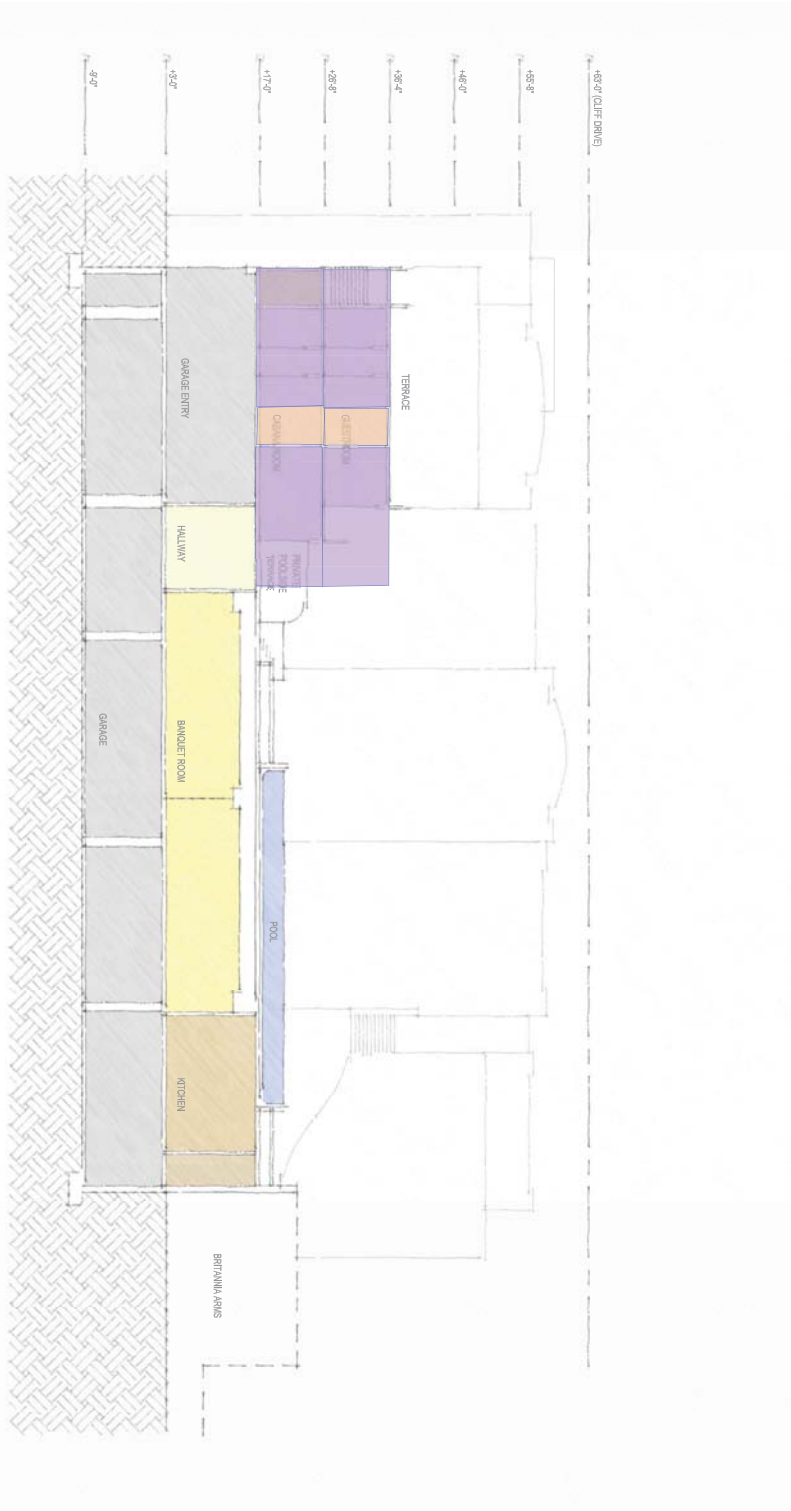
LEVEL 2	LEV 37	(Incl. 2 suites)
LEVEL 3	LEV 26	(Incl. 2 suites)
LEVEL 4	LEV 16	(Incl. 1 suites)
LEVEL 5	LEV 10	(Incl. 4 suites)
TOTAL ROOM 89		

PROJECT AREA

LEVEL	MEETING	PUBLIC	GUESTROOM	BOH	GARAGE	TOTAL
BG	4,312	6,680	20,314	8,647	21,420	21,420
1			20,314	487	3,385	23,024
2			14,883	487		20,821
3			8,698	487		15,370
4			7,012	487		9,186
5						7,499
TOTALS	4,312	6,680	50,928	10,595	24,805	97,320









CAPITOLA BEACH HOTEL

VIEW FROM THE ESPLANADE





CAPITOLA BEACH HOTEL

AERIAL VIEW





Hotel Height / Bluff Existing Conditions



53 feet from beach level

34 ft from beach level

28 ft from beach level

18 feet from beach level

12 feet from beach level



63 feet, approximate Bluff Line

58 feet max, Elevator Mechanical Room

56.5 feet, 5th level stepped back 85 feet from street.

51 feet, 4th level stepped back 60 feet from street

4.1 feet, 3rd level stepped back 35 feet from street.

38 feet, Street Frontage Suite

26 feet, Street Frontage

4.B.2

Garage Parking Operations

City Lift: Car Stacker Model
Average Retrieval Time: 2:00 minutes
Levels: 2



Capitola Hotel Through the Years



1904



1995



2009



2010



2019

Chapter 17.88 INCENTIVES FOR COMMUNITY BENEFITS Revised 6/18

Sections:

- [17.88.010](#) Purpose. Revised 6/18
- [17.88.020](#) Incentives restricted to added benefits. Revised 6/18
- [17.88.030](#) Eligibility. Revised 6/18
- [17.88.040](#) Allowable benefits. Revised 6/18
- [17.88.050](#) Available incentives. Revised 6/18
- [17.88.060](#) Relationship to state density bonus law. Revised 6/18
- [17.88.070](#) Application submittal and review. Revised 6/18
- [17.88.080](#) Findings. Revised 6/18
- [17.88.090](#) Post-decision procedures. Revised 6/18

17.88.010 Purpose. Revised 6/18

This chapter establishes incentives for [applicants](#) to locate and design [development](#) projects in a manner that provides substantial benefits to the community. These incentives are intended to facilitate the redevelopment of underutilized properties along 41st Avenue consistent with the vision for the corridor described in the general plan and to encourage the [development](#) of a new hotel in the Village as called for by the general plan. (Ord. [1017](#) § 2 (Exh. A) (part), 2018)

17.88.020 Incentives restricted to added benefits. Revised 6/18

The city may grant incentives only when the [community benefits](#) or amenities offered are not otherwise required by the zoning code or any other provision of local, state, or federal law. [Community benefits](#) or amenities must significantly advance general plan goals and/or incorporate a project feature that substantially exceeds the city's minimum requirements. (Ord. [1017](#) § 2 (Exh. A) (part), 2018)

17.88.030 Eligibility. Revised 6/18

A. Eligibility for Incentive. The city may grant incentives for the following projects:

1. Projects in the regional commercial (C-R) and community commercial (C-C) zoning districts that:
 - a. Front 41st Avenue; or
 - b. Front Capitola Road between Clares [Street](#) and 42nd Avenue; or
 - c. Are located on the Capitola Mall [site](#).
2. A hotel on the former Capitola Theater [site](#) (APN 035-262-04, 035-262-02, 035-261-10) in the [mixed use](#) village zoning district.

B. [Setback](#) Required – 41st Avenue. [Structures](#) on properties fronting the east side of 41st Avenue must be set back a minimum of one hundred feet from the property line [abutting](#) a residential property. (Ord. [1017](#) § 2 (Exh. A) (part), 2018)

17.88.040 Allowable benefits. Revised 6/18

A. All Eligible Projects. The city may grant incentives to all eligible projects as identified in Section [17.88.030](#) (Eligibility) that provide one or more of the following [community benefits](#). The public benefit provided shall be of sufficient value as determined by the planning commission to justify deviation from the standards of the zoning district that currently applies to the property.

1. Public Open Space. Public plazas, courtyards, and other public gathering places that provide opportunities for people to informally meet and gather. Open space must be accessible to the general public at all times. Provision must be made for ongoing operation and maintenance in perpetuity. The public space must either exceed the city's

minimum requirement for required open space and/or include quality improvements to the public realm to create an exceptional experience.

- 2. Public Infrastructure. Improvements to [streets](#), sidewalks, curbs, gutters, sanitary and storm sewers, [street](#) trees, lighting, and other public infrastructure beyond the minimum required by the city or other public agency.
- 3. Pedestrian and Bicycle Facilities. New or improved pedestrian and bicycle pathways that enhance the property and connectivity to the surrounding neighborhood.
- 4. Transportation Options. Increased transportation options for residents and visitors to walk, bike, and take public transit to destinations and reduce greenhouse gas emissions.
- 5. [Historic Resources](#). Preservation, restoration, or rehabilitation of a [historic resource](#).
- 6. Public Parking. Public parking [structure](#) that provides [parking spaces](#) in excess of the required number of [parking spaces](#) for use by the surrounding commercial district. Excess parking provided as part of a Village hotel may not be located on the hotel [site](#) and must be located outside of the [mixed use](#) village zoning district.
- 7. Green [Building](#). Green [building](#) and sustainable [development](#) features that exceed the city's green [building](#) award status.
- 8. Public Art. Public art that exceeds the city's minimum public art requirement and is placed in a prominent and publicly accessible location.
- 9. Other [Community Benefits](#). Other [community benefits](#) not listed above, such as entertainment destinations, as proposed by the [applicant](#) that are significant and substantially beyond normal requirements.

B. 41st Avenue/Capitola Road Projects. In [addition](#) to the [community benefits](#) in subsection A of this section, the city may grant incentives to eligible projects fronting 41st Avenue or Capitola Road between Clares [Street](#) and 42nd Avenue or on the Capitola Mall [site](#) that provide one or more of the following [community benefits](#):

- 1. Capitola Mall [Block](#) Pattern. Subdivision of the existing Capitola Mall property into smaller [blocks](#) with new intersecting interior [streets](#). May include the extension of 40th Avenue south into the mall property to form a new pedestrian-friendly private interior [street](#).
- 2. Surface [Parking Lot](#) Redevelopment. Redevelopment of existing surface [parking lots](#) fronting 41st Avenue and Capitola Road while introducing new sidewalk-oriented commercial [buildings](#) that place commercial uses along the [street](#) frontage.
- 3. Transit Center. Substantial infrastructure improvements to the transit center on the Capitola Mall property that are integrated with a possible future shuttle system in Capitola. The transit center may be moved to an alternative location consistent with the operational requirements of Santa Cruz Metro.
- 4. Affordable Housing. Affordable housing that meets the income restrictions applicable in the affordable housing (-AH) [overlay zone](#). (Ord. [1017](#) § 2 (Exh. A) (part), 2018)

17.88.050 Available incentives. [Revised 6/18](#)

A. 41st Avenue/Capitola Road Projects. The city may grant the following incentives to an eligible project fronting 41st Avenue, Capitola Road between Clares [Street](#) and 42nd Avenue, or on the Capitola Mall [site](#):

- 1. An increase in the maximum permitted [floor area ratio](#) (FAR) to 2.0.
- 2. An increase in the maximum permitted [building height](#) to fifty feet.

B. Village Hotel. The city may grant the following incentives to a proposed hotel on the former Capitola Theater [site](#) (APN 035-262-04, 035-262-02, 035-261-10):

Attachment: CMC Chapter 17.88 - Incentives for Community Benefits (120 Monterey Avenue)

1. An increase in the maximum permitted [floor area ratio](#) (FAR) to 3.0.
2. An increase to the maximum permitted [building height](#); provided, that:
 - a. The maximum height of the hotel remains below the elevation of the [bluff](#) behind the hotel; and
 - b. The [bluff](#) behind the hotel remains visible from the Capitola wharf as a green edge with existing mature trees maintained on [site](#). (Ord. [1017](#) § 2 (Exh. A) (part), 2018)

17.88.060 Relationship to state density bonus law. *Revised 6/18*

The incentives allowed by this section are in [addition](#) to any [development](#) incentive required by Section [65915](#) of the California Government Code. (Ord. [1017](#) § 2 (Exh. A) (part), [2018](#))

17.88.070 Application submittal and review. *Revised 6/18*

A. Request Submittal. A request for an incentive in exchange for benefits shall be submitted concurrently with an application for the discretionary permits required for the project by the zoning code. Applications shall be accompanied by the following information:

1. A description of the proposed amenities and how they will benefit the community.
2. All information needed by the city council to make the required findings described in Section [17.88.080](#) (Findings), including a pro forma analysis demonstrating that the benefit of the proposed amenities to the community is commensurate with the economic value of the requested incentives.

B. Conceptual Review. Prior to city action on a request for an incentive, the request shall be considered by the planning commission and city council through the conceptual review process as described in Chapter [17.114](#) (Conceptual Review). Conceptual review provides the [applicant](#) with nonbinding input from the city council and planning commission as to whether the request for incentives is worthy of consideration.

C. Theater [Site](#) Story Poles. Prior to city action on a proposed hotel on the former Capitola Theater [site](#) the [applicant](#) shall install poles and flagging on the [site](#) to demonstrate the height and mass of the proposed project.

D. Planning Commission Recommendation. Following conceptual review, the planning commission shall provide a recommendation to the city council on the proposed project and requested incentives at a noticed public hearing in compliance with Chapter [17.148](#) (Public Notice and Hearings).

E. City Council Action. After receiving the planning commission's recommendation, the city council shall review and act on the requested incentives at a noticed public hearing in compliance with Chapter [17.148](#) (Public Notice and Hearings). The city council shall also review and act on other permits required for the project requesting incentives. (Ord. [1017](#) § 2 (Exh. A) (part), 2018)

17.88.080 Findings. *Revised 6/18*

A. All Eligible Projects. The city council may approve the requested incentives for all eligible projects only if all of the following findings can be made in [addition](#) to the findings required for any other discretionary permit required by the zoning code:

1. The proposed amenities will provide a substantial benefit to the community and advance the goals of the general plan.
2. There are adequate public services and infrastructure to accommodate the increased [development](#) potential provided by the incentive.
3. The public benefit exceeds the minimum requirements of the zoning code or any other provisions of local, state, or federal law.

4. The project minimizes adverse impacts to neighboring properties to the greatest extent possible.

B. Village Hotel. In [addition](#) to the findings in subsection A of this section, the city council may approve the requested incentives for a proposed hotel on the former Capitola Theater [site](#) only if the following findings can be made:

1. The design of the hotel respects the scale and character of neighboring [structures](#) and enhances Capitola's unique sense of place.
2. The hotel will contribute to the economic vitality of the Village and support an active, attractive, and engaging pedestrian environment.
3. The hotel design minimizes impacts to public views of the beach and Village from vantage points outside of the Village.
4. Parking for the hotel is provided in a way that minimizes vehicle traffic in the Village and strengthens the Village as a pedestrian-oriented destination. (Ord. [1017](#) § 2 (Exh. A) (part), 2018)

17.88.090 Post-decision procedures. [Revised 6/18](#)

Post-decision procedures and requirements in Chapter [17.156](#) (Post-Decision Procedures) shall apply to decisions on incentives for [community benefits](#). (Ord. [1017](#) § 2 (Exh. A) (part), 2018)

The Capitola Municipal Code is current through Ordinance 1030, passed April 25, 2019.

Disclaimer: The City Clerk's Office has the official version of the Capitola Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

120 Monterey Avenue – Capitola Village Hotel

Square Foot Breakdown

- Total square footage of all parcels included in the proposed project
 - Parcel: 03526110 = 6,098.40
 - Parcel: 03526202 = 6,795.36
 - Parcel: 03526204 = 13,721.40
 - Parcel: 03526211 = 2,308.68
 - **TOTAL = 28,923.84 SQ FT**
- Total square footage for entire hotel, as well as square footage for each floor
 - Garage = 21,420
 - Floor 1 = 23,024
 - Floor 2 = 20,821
 - Floor 3 = 15,370
 - Floor 4 = 9,186
 - Floor 5 = 7,499
 - **TOTAL = 97,320 SQ FT**
- Square footage of two meeting rooms
 - Room 1 = 720
 - Room 2 = 720
 - **TOTAL = 1,440 SQ FT**
- Square footage of board room
 - **417 SQ FT**
- Square footage of banquet room
 - **2,066 SQ FT**
- Square footage of bar/lounge
 - **2,291 SQ FT**
- Square footage of kitchen
 - **1,569 SQ FT**
- Square footage of pool deck area (upper and lower)
 - Lower = 14,635
 - Upper = 7,439
 - **TOTAL = 22,074 SQ FT**
- Square footage of fire pit seating area
 - **3,447 SQ FT**
- Length of building frontage on Monterey Avenue along sidewalk
 - **265 FT**



ADMINISTRATIVE POLICY

Number: I-33
 Issued: October 10, 2013
 Revised: September 22, 2016
 Jurisdiction: City Council

IN-LIEU PARKING FEE PROGRAM

I. PURPOSE

The purpose of this policy is to establish an In-Lieu Parking Fee Program (Program) for new hotel uses in the Village. The Program allows eligible development projects to purchase off-site parking spaces from the City in-lieu of providing on-site parking.

II. POLICY

New large hotels, as defined by Municipal Code section 17.03.320 which provide a valet service, proposed in the Central Village zoning district may request to participate in the Program by submitting an application to the Community Development Department. An applicant for a large hotel project may request to purchase any or all of the allotted 56 parking spaces designated for the Program. Up to ten of the 56 spaces shall be available to smaller hotel projects. Applications shall include an economic analysis showing both direct, and indirect economic impacts of the proposed project.

Applications shall be considered by the City Council, and may be approved if the following findings can be made:

1. The proposed project is consistent with the City's Local Coastal Plan and the Coastal Act
2. Offsite parking for the proposed project would reduce traffic impacts and provide a design more consistent with the historic character of the village.
3. The proposed project will help to facilitate the City's economic development goals.

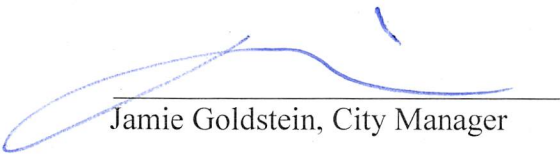
If approved, the applicant shall be required to submit payment prior to issuance of a grading or building permit, whichever comes first. The in-lieu fee rate shall be determined by the City Council based on the cost of constructing a parking structure at the time the application is submitted. The applicant may propose the establishment of an annual assessment rather than an up-front payment of fees. Such annual assessment proposal may be approved or denied by the City Council.

Parking spaces designated for the Program shall be located in the upper Pacific Cove parking lot. The designated parking area shall be conspicuously marked and shall be for the exclusive use by employees and guests of Program participants. Prior to issuance of a building permit, applicants shall be required to submit a plan to secure, monitor, and enforce the use of purchased parking spaces to the satisfaction of City staff. The parking area shall be secured to the City's satisfaction prior to issuance of a certificate of occupancy.

The Community Development Department shall maintain a record of all properties that have fulfilled their parking requirements through payment of in-lieu fees. In the event that a property or use is sold to another party, the purchased parking spaces shall transfer to the new owner(s). Parking spaces may not be sold, transferred, or shared with other parties to meet parking requirements of other uses not authorized by the original permit. In-lieu fees paid to meet parking requirements shall be non-refundable.

Revenue collected from the Program shall be deposited into an interest bearing account established for the sole purpose of contributing to the financing of a future parking facilities, such as a multi-level parking structure located on the upper Pacific Cove property.

This policy is approved and authorized by:



Jamie Goldstein, City Manager

Attachment: I-33 In-Lieu Parking Fee Program (120 Monterey Avenue)