



**ADOPTED MINUTES  
CAPITOLA PLANNING COMMISSION MEETING  
THURSDAY, NOVEMBER 6, 2014  
7 P.M. – CAPITOLA CITY COUNCIL CHAMBERS**

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

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

Commissioners: Ron Graves, Mick Routh, Linda Smith, TJ Welch and Chairperson Gayle Ortiz.

**2. ORAL COMMUNICATIONS**

**A.** Additions and Deletions to Agenda - None

**B.** Public Comment - None

**C.** Commission Comment

Commissioner Smith noted Geoffrey Dunn will make a presentation at Nov. 8 on Harry Hooper.

**D.** Staff Comments - None

**3. APPROVAL OF MINUTES**

**A.** **October 2, 2014, Draft Planning Commission Minutes**

**A motion to approve the October 2, 2014, meeting minutes was made by Commissioner Smith and seconded by Commissioner Welch.**

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

**4. CONSENT CALENDAR – No items**

**5. PUBLIC HEARINGS**

**A. 203 Central Avenue #14-040 APN: 036-111-08**

Design Permit, Variance for rear yard setback and parking, Conditional Use Permit, and Coastal Development Permit for a second story addition to a historic resource located in the R-1(Single Family Residential) Zoning District.

This project 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: Douglas Satzger

Representative: Richard Emigh, filed 3/13/14

This item was continued from the September 4, 2014, meeting. Senior Planner Katie Cattan presented the staff report, noting that the project requires a variance for both the rear yard setback

and parking. The Commission must also indicate the type of roofing material approved. She noted a model and streetscape were provided to help address previous Commission comments and concerns.

She reviewed images to explain the need for variances. The historic cottage is 3' 9" from the rear property line, and the plan proposes the second story be flush with the first (plus a 1-foot roof overhang) in order to keep the addition to the back of the cottage. Onsite parking may not count the public right-of-way, therefore no onsite parking meets code and a variance is required. Staff supports findings of special circumstances based on maintaining the location of the historic home onsite.

She also noted the ongoing concern about preserving the Giant Sequoia at 201 Central. Its roots extend to 203, and landscape plans do not indicated how tree would be protected; therefore staff recommends this be addressed in conditions.

Chairperson Ortiz opened the public hearing. Architect Richard Emigh represented the applicant. In response to the neighbor to north's recent letter, he can't put gutters on the roof bells, but will put on an appropriate upper area. He walked the Commission through the streetscape and model, noting the variance keeps the addition to the back of the property and prevents a greater massing impact.

Chairperson Ortiz clarified options for gutters as requested by the neighboring property owner will significantly reduce current runoff.

Property owner Doug Satzger offered a presentation regarding the tree and explained he has not yet received the roofing material samples. Staff had not received a report from the applicant's arborist. He expressed concern about continuing growth of the tree and noted the roots have been previously trimmed. He offered to take the tree down and replace it. He also advocated for a seamed metal roof, which is energy efficient and longer lasting. The aluminum surface would have a gray finish.

Chairperson Ortiz asked about the possibility of shaving the roots again and supported preserving the tree for the current owner's lifetime.

Commissioner Routh noted that the Commission cannot require an adjacent private property owner to take down a healthy tree.

Mr. Satzger noted continued root intrusion could exacerbate parking difficulties in the future.

Commissioner Smith said she is open to a phased development of the driveway area if parking requirements were waived and other commissioners agreed. They confirmed the proposed large concrete slabs are not pavers, but are poured in place.

Neighbor Lon Price, 205 Central, thanked staff for clarifying that right-of-way cannot count toward parking and expressed concerns with the project's rear roof overhang. He understands why the wall would be allowed, but opposes the overhang. He appreciates the efforts to install gutters. He noted that changes to the neighborhood that respect the past have been successful and believes this is a well-designed project.

Adam Samuels spoke with neighbor Ike Amato of 201 Central, who is quite upset about the possible loss of his tree. Mr. Samuels asked that it be spared, noting the tree is hard to miss and its impact should have been obvious when the home was purchased.

Anne Ryan- Atkinson also spoke in support of preserving the tree.

Kathy Barnes, 208 Central, said the proposed addition is too much building for the size of the property and will increase parking problems. She questioned the calculation of square footage and opposes variances.

Neighbor Rex Walker questioned the absence of the full plans, such as streetscape and landscape, in the online packet. Staff noted a digital version was not available and commissioners confirmed that plans were available for review at City Hall. He opposed the cement introduced into the right-of-way and believes a parking exemption is not appropriate.

Mr. Price supported phased parking landscaping as suggested by the Commission.

The public hearing was closed. Commissioner Smith confirmed the square footage calculations have been verified. She explained that as the president of Board of Trustees for the Historical Museum she is very concerned about historic preservation. City ordinance specifically directs the Commission to weigh benefits versus detriments. Depot Hill has examples of successful second-story additions and this is in the same vein. She believes it benefits the community to extend time of the tree.

Commissioner Routh concurred, adding this an unique lot and house and most homes on Depot Hill use the right-of-way for parking and driveway. He is inclined to support the metal roof.

Commissioner Welch would also support a parking variance for the tree. He acknowledged the challenges of planning toward a potential historic district and noted a bell curve may be challenging for a metal roof, although as a replaceable element he is less concerned about its impact on historic standing.

Commissioner Graves shares the concerns about a trend toward building too much on small lots. He cannot support a variance for parking. The driveway as proposed will be impacted by roots and he recommended smaller pavers.

Commissioner Smith likes the metal roof in principle, but cannot support it since it violates Secretary of Interior Standards.

Commissioner Ortiz likes the design and does not feel the addition is overly large. She appreciates concern about changes to the neighborhood and efforts to maintain historic integrity. She wishes to leave the door open for an historic district and a metal roof could endanger the historic designation in the future. She favors a temporary solution for the driveway and notes that even without the trees the width of the driveway requires stepping onto adjacent property. She asked that an approval include conditions for gutters, tree protections and phased parking development.

The Commission discussed methods to safeguard the tree for the near future. Members also noted that while the onsite parking options are substandard, the space should be preserved for that use.

Commissioner Welch moved to approve the project as recommended with additional conditions as discussed and allowing the metal roof. Commission Routh seconded. Motion failed 2-3 (Welch, Routh/Graves, Smith, Ortiz).

**A motion to approve project application #14-040 for a Design Permit, Variance and Coastal Development Permit with the following conditions and findings was made by Commissioner Routh and seconded by Commissioner Welch:**

**CONDITIONS**

1. The project approval consists of an addition to an existing historic resource located at 203 Central Avenue. The project approval consists of construction of a 236 square-foot addition to

a single family home. The maximum Floor Area Ratio for the 1250 square-foot property is 58% ( 725 square feet). The total FAR of the project is 57% with a total of 707 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 November 6, 2014, except as modified through conditions imposed by the Planning Commission during the hearing.

2. Roots of the Giant Sequoia Redwood tree extend onto the driveway of 203 Central Avenue. Prior to issuance of a grading or building permit, a fence must be installed to protect the roots of the tree. The fence shall not be moved or removed during construction, protecting the tree from heavy equipment and construction staging. The fence shall not be removed until final inspection by the Community Development Director or designee.
3. The Planning Commission approved a variance for setbacks and parking. The onsite parking proposed within the application does not meet the minimum dimensions as required by the zoning code. The existing driveway area, although substandard, shall continue to exist for onsite parking in its existing dimension and location as shown on the approved plans.
4. The Planning Commission did not approve the installation of the new driveway as proposed in the plans due to the impact the installation would have on the roots of the neighboring Sequoia Redwood tree located at 201 Central Avenue. If the applicant were to remove the existing brick, the new material and installation method shall not impact the root system of the tree at 201 Central Avenue. Any modification to the existing driveway requires an updated landscape plan, reviewed by the City arborist, and approval by the Community Development Director. The owner shall hire a qualified arborist to determine the most effective construction methods for the new driveway that will protect the health and longevity of the tree located in the north east corner of 201 Central Avenue property. The arborist must be onsite during the demolition of the existing brick surface and during the installation of the new driveway.
5. Gutters shall be installed within the second story addition along the north side property line between 203 Central and 205 Central.
6. The roofing material shall be shingle. Standing seam metal roof was denied by the Planning Commission due to inconsistency with the Secretary of Interior Standards.
7. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans.
8. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
9. At time of submittal for a building permit review, the applicant shall apply for revocable encroachment permit for all improvements allowed by the Planning Commission within the unutilized street right-of-way.
10. At the time of submittal for building permit review, Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP) shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP).

11. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval and potentially a review by the Historic Architect for continued conformance with the Secretary of Interior standards.
12. Prior to making any changes to the historic structure, 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.
13. Prior to issuance of building permit, a final landscape plan shall be submitted and approved by the Community Development Department. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of irrigation systems, if proposed. Native and/or drought tolerant species are recommended. One 15-gallon tree must be planted in the front yard that will contribute toward a 15% tree canopy on the site.
14. Prior to issuance of building permit, all Planning fees associated with permit #14-040 shall be paid in full.
15. Prior to issuance of building permits, the building plans must show that the existing overhead utility lines will be underground to the nearest utility pole.
16. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Water District, and Central Fire Protection District.
17. 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.
18. 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).
19. 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.
20. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
21. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official.

§9.12.010B

22. Prior to a project final, all cracked or broken driveway approaches or street edge shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches shall meet current Accessibility Standards.
23. 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.
24. 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.
25. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
26. Upon receipt of certificate of occupancy, garbage and recycling containers shall be shielded and placed out of public view on non-collection days.
27. At time of building plan submittal, the plans shall include a language on the cover sheet referring to the intent of the Secretary of Interior Standard and specifically reference Standard #6. The plans shall identify specific repairs prior to submittal of the building permit drawings.
28. At time of building plan submittal, the California State Historical Building Code shall be referenced in the architectural notes on the front page, in the event that this preservation code can provide support to the project design.
29. At the time of building plan submittal, all proposed preservation treatments (e.g., epoxy wood consolidant and paint preparation techniques), shall be identified on the plans.

## **FINDINGS**

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

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project conforms to the development standards of the R-1 (Single Family Residence) Zoning District with a variance to onsite parking and setbacks. The existing onsite parking is substandard yet accommodates two automobiles onsite. The driveway location and dimensions will remain as it exists today indicated on the approved plans. Conditions have been added to protect the tree roots of the tree located at 201 Central Avenue throughout construction. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance, General Plan and Local Coastal Plan.
- B. **The application will maintain the character and integrity of the neighborhood.**

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the addition to the historic resource. The new addition is

appropriately located to not overwhelm the historic structure or impact the surrounding neighbors. The project's overall design will maintain the character and integrity of the neighborhood.

**C. This project is categorically exempt under Section 15331 of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.**

Section 15331 of the CEQA Guidelines exempts projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings. This project involves an addition to an existing historic resource located in the R-1 (single family) zoning district. As conditioned, the project conforms to the Secretary of the Interior's Standards for Rehabilitation. No adverse environmental impacts were discovered during review of the proposed project.

### **COASTAL FINDINGS**

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

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

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

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

- The proposed project is located at 203 Central Avenue. The home is not located in an area with coastal access. The home will not have an effect on public trails or beach

access.

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

- The project is located on a flat lot.

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

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

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

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

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

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

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

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

**SEC. 30222**

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

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

**SEC. 30223**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- The proposed project is not located along a shoreline.

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

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

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

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

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

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

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

**B. 124 Central Avenue #14-116 APN: 036-122-13**

Design Permit and Conditional Use Permit for an addition to a Historic Single Family home located in the R-1 (Single-Family Residential) Zoning District.

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

Environmental Determination: Categorical Exemption

Property Owner: Douglas Edwards

Representative: Derek Van Alstine (filed 7/21/2014)

This item was continued from the October 2, 2014, meeting. Planner Cattan presented the staff report, focusing on areas of concern for the Secretary of Interior Standards for renovating an historic structure. Commission direction was requested for massing of the addition relative to the cottage and the location of the front door. She also noted that the application cost exceeds the 80 percent valuation a non-confirming structure is allowed and will require a variance if the Commission would support it. She also noted that local historian Carolyn Swift has contested the accuracy of elements in the historic DPR, particularly relating to Frank Reanier.

Chairperson Ortiz opened the public hearing.

Designer Derek Van Alstine spoke for the applicant. Mr. Van Alstine noted the structure is in severe disrepair and where replacement is required, materials will be recreated to historic standards. A hyphen between old and new is difficult to achieve because there is no original back wall, but in response to the architectural historian's concerns he moved the addition back. Michael Tinsley, architect, presented video modeling to illustrate the massing impact from the street view both with and without landscaping foliage.

Mr. Van Alstine emphasized that “not recommended” does not mean it does not meet Secretary of Interior standards.

Doug Edwards, homeowner, noted that the home is intended for his family’s use. He and his wife want to preserve the historic elements of the home. He loves the original front door and wants it featured facing the street.

Commissioner Smith confirmed the ceiling heights for both stories on the addition. She was told the second floor is lower than first to maintain same height as the original first floor.

Neighbor Rex Walker noted that Frank Reanier is associated with this home. Mr. Walker wants the home preserved and feels the DPR is lacking.

The public hearing was closed.

Commissioner Welch said these historic projects take significant consideration. He agrees there may be mistakes in the DPR, but it supports historic status. He is pleased the owner supports historic standing. He feels the project is headed in the right direction and should focus on meeting the Secretary of the Interior standards.

Commissioner Routh asked if an EIR is required. Director Grunow explained that as long as the Commission finds the project meets the Secretary of Interior standards, the type of historic listing has no bearing on the CEQA exemption and planning process. He also explained the Commission can decide if it wants the project scaled back to meet the 80 percent limit or direct the applicant to request a variance. Commissioner Routh feels project could be supported.

Commissioner Graves said the property can accommodate the project’s size and he is not worried about preserving the barn doors. He can support the application.

Commissioner Smith noted that Frank Reanier is extremely important to local history, so the home is important for two reasons. She feels the DPR is poorly written including historical inaccuracies, which undermines credibility. She would like all comments, not just the formal DPR, included in the files. She is concerned about moving the front door based on the architectural historian’s review and feels the addition overwhelms the cottage. She would prefer less mass on the second story.

Chairperson Ortiz thinks it will be beautiful project and appreciates the applicant’s care. She noted the DPR is available as an historical resource through the museum, not just filed with the planning application. She said Ms. Swift’s level of concern about the DPR is unusual in her many years of work for the city and an accurate DPR is vital to city. Chairperson Ortiz feels the project needs less massing in the addition.

Commissioners discussed the massing, and asked staff to confirm how important consultant’s recommendations are and whether they must all be incorporated to meet Secretary of Interior standards.

Mr. Van Alstine noted that two-dimensional images tend to overstate the mass of setbacks. He also explained that all materials and patterns on the addition will be different from those on the original cottage.

**A motion to support application #14-116 in concept as submitted pending application and notice for a variance to the limits for non-conforming development was made by Commissioner Welch and seconded by Commissioner Routh.**

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

**C. Capitola Municipal Code Chapter 17 Zoning Ordinance Update**

Planner Cattan presented the staff report. Public outreach by community survey and stakeholder meetings is complete. The first revisions will focus on non-controversial areas including the format update, and then move into issues and options that garner stronger opinions and debate such as historic properties, parking, and mixed use. These will be presented in the first half of 2015, with additional public meetings as required. CEQA work should be complete next fall and staff is hoping the code will be ready for adoption in November 2015, the 40<sup>th</sup> anniversary of the original code. Staff is working closely with the Coastal Commission on the Local Coastal Program to minimize lag time between code adoption and LCP approval.

Trends identified during public outreach include preserving community character in residential neighborhoods and support for more character and aesthetics on 41<sup>st</sup> Avenue. There was significant support for allowing drive-throughs on 41<sup>st</sup> Avenue.

Commissioner Graves asked that future outreach and work assure that the concerns of permanent residents not be lost to business interests.

Director Grunow found the results echoes the themes of the recently updated General Plan with emphasis on preserving neighborhoods and support for commercial uses in appropriate areas.

Commissioner Welch asked how the City can move forward action on a historic district in Depot Hill. Director Grunow said it will need adequate budget resources for staff and consultants and noted that it is identified as an action item in the General Plan.

Chairperson Ortiz suggested incorporating perks for historic preservation or other desired elements in the code.

**6. DIRECTOR'S REPORT - None**

**7. COMMISSION COMMUNICATIONS**

Commissioner Smith asked to coordinate with staff on a "partially paperless" packet since she's having trouble viewing some items electronically.

Commissioner Routh asked that the meeting be closed in honor of Jim Reding and his many contributions and accomplishments.

Chairperson Ortiz requested setting a minimum standard for presenting streetscapes. She also asked that the City consider using a consistent architectural historian.

**8. ADJOURNMENT**

Chairperson Ortiz adjourned the meeting in honor of Jim Reding at 10:01 p.m. to the regular meeting of the Planning Commission to be held on Thursday, December 4, 2014, at 7 p.m. in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

Approved by the Planning Commission on December 4, 2014.

---

Linda Fridy, Minute Clerk