

**APPROVED MINUTES**

**CAPITOLA PLANNING COMMISSION MEETING**

**THURSDAY, OCTOBER 3, 2013**

**7 P.M. – CAPITOLA CITY COUNCIL CHAMBERS**

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

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

Commissioners: Gayle Ortiz and TJ Welch, and Chairperson Mick Routh

 Absent: Commissioner Ron Graves and Linda Smith

**2. ORAL COMMUNICATIONS**

### Additions and Deletions to Agenda - None

## Public Comments - None

1. Commission Comments

Chairperson Routh announced that effective tonight he is resigning as the Planning Commission’s representative on the Traffic and Parking Commission. A replacement will be appointed at the November meeting, and Chairperson Routh said Commissioner Graves had expressed interest.

Chairman Routh also noted the passing of Frank Beccaria. Mr. Beccaria succeeded Chairman Routh on the City Council many years ago and spent at least a term each on the City Council and Planning Commission.

**D.** Staff Comments - None

**3. APPROVAL OF MINUTES**

1. September 5, 2013, Regular Planning Commission Meeting

**A motion to approve the Sept 5, 2013, meeting minutes was made by Commissioner Ortiz and seconded by Commissioner Welch.**

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

**4. CONSENT CALENDAR**

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| **A.** | **812 Laurence Avenue      #13-127      APN: 036-052-08** |
| Design Permit for a 306-square-foot addition to an existing Single Family Home in the R-1 (Single Family) Zoning District. Environmental Determination: Categorical ExemptionProperty Owner: Paul Pashby, filed:  9/10/13Representative: Ron Ragsdale |

Neighbor Dan Wilson asked to see plans for the application, which were shared by Senior Planner Katie Cattan. Planner Cattan explained the proposed addition extends into the front and the garage was extended as well to meet parking requirements. Mr. Wilson had no comments.

**A motion to approve project application #13-127 with the following conditions and findings was made by Commissioner Welch and seconded by Commissioner Ortiz:**

### CONDITIONS

1. The project approval consists of construction of a 306-square-foot addition to an existing single-family home. The maximum Floor Area Ratio of 49% for the property is 2,940 square feet. The FAR of the primary residence is 35% with a total of 2,105 square feet.
2. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on October 3, 2013, except as modified through conditions imposed by the Planning Commission at the time of the hearing. A building permit shall be secured for any new construction or modifications to structures, including interior modifications, authorized by this permit. Final building plans shall reflect the set of plans approved by the Planning Commission. All construction shall be completed according to the approved plans on which building permits are issued.
3. Any modifications to approved plans after the issuance of any building permit must be specifically requested and approved in writing prior to execution. Any significant changes shall require Planning Commission approval.
4. Prior to building permit sign off, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Zoning Administrator or Community Development Director. The application shall be reviewed by the Planning Commission upon evidence of non-compliance with conditions of approval or applicable municipal code provisions.
5. Hours of construction shall be Monday through Friday 7:30 a.m. – 9 p.m., and Saturday 9 a.m. – 4 p.m., per city ordinance.
6. An encroachment permit shall be acquired for any work performed in the right-of-way.
7. A drainage plan or design shall be submitted with the final building plans, to the satisfaction of the Public Works Director.
8. The project shall implement Low Impact Development BMPs outlined in the *Slow it. Spread it. Sink it. Homeowner’s Guide to Greening Stormwater Runoff* by the Resource Conservation District of Santa Cruz County.  The applicant shall provide details on the BMPs implemented and with a goal of not allowing more than 25% of total impervious area from discharging directly from the site.
9. Planning fees associated with permit #13-127 shall be paid in full prior to building permit issuances.
10. Affordable housing in-lieu fees shall be paid as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance. Any appropriate fees shall be paid prior to building permit issuance.
11. Prior to granting of final occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Zoning Administrator or Community Development Director.
12. This permit shall expire 24 months from the date of issuance, unless an application for an extension is submitted prior to expiration pursuant to Municipal Code section 17.81.160.

**FINDINGS**

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

 Community Development Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project conforms to the development standards of the R-1 (Single Family Residence) Zoning Districts. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance, General Plan and Local Coastal Plan.

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

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

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

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

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

**5.** **PUBLIC HEARINGS**

 **A. 1900 41st Ave. #12-155 APN: 034-201-37**

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| Amendment to existing Conditional Use Permit to incorporate a bar use and allow live entertainment in the CC (Community Commercial) Zoning District.Environmental Determination: Categorical ExemptionProperty Owner: R. DeaneRepresentative: Pedro Salazar, filed 11/21/2012 |

Senior Planner Cattan presented the staff report, noting the applicant wishes to extended business and bar hours and offer live entertainment. She noted that the bar area of the facility has no dance floor. She shared photos of the location and adjoining residential areas. Due to the proximity of residences, Police Chief Rudy Escalante requested mitigation through a management plan that included a list of conditions. Among those are monitoring sound, assuring that any noise be contained within the building, and increasing security. No plan was submitted.

Commissioner Ortiz asked when the Chief’s memo with the conditions was generated, and Senior Planner Cattan said it was sent to the applicant in early August.

Chairman Routh opened the public hearing. Mario Diaz and applicant Pedro Salazar said they had just finished a management plan and would like time to type and submit it.

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

Chairperson Routh expressed concern about the last-minute response, but said the Commission could continue the item to give staff a chance to review it.

Commissioner Ortiz said she was not inclined to continue the item, but asked for input from the chief and staff. Chief Escalante explained that the purpose of a well-thought-out plan is to address activity inside and outside. He noted that there have been no issues with the business this year, but was concerned that the management plan was not presented in a timely manner.

Community Development Director Rich Grunow said staff would be open to working with the applicant if the Commission desired. Senior Planner Cattan noted she reached out regularly to request the plan and had set a deadline to allow ample time for review.

**A motion to deny project application #12-155 based on the staff recommendation was made by Commissioner Ortiz and seconded by Commissioner Welch.**

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

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| **B.** | **100 Central Avenue      #11-136      APN:036-131-10** |
| Plan revisions to a previously approved design permit for a new two-story single-family dwelling in the R-1 (Single-Family Residence) Zoning District.Property Owner: Jill Caskey & Bruce Yoxsimer, filed 12/15/11Representative: Derek Van Alstine |

Senior Planner Cattan presented the staff report and offered images and descriptions of Tudor style. She noted several defining characteristics including trim, half timbers, shutters, and Corbel additions. She displayed the applicant’s plans to add more of these elements. In response to Commissioner Ortiz’s question, she confirmed the applicant has already added flower boxes and a light fixture since the September meeting.

Derek Van Alstine represented the applicant and asked that if the Commission felt it could support the enhanced design direction, would it please include any additional items as conditions rather than continuing the application.

Commissioner Ortiz asked how additional half timbers would be attached, and Mr. Van Alstine confirmed that there is a process, although difficult, that does not impact the water seal of the stucco and blends well.

Chairperson Routh said he believes the design is moving toward the original plan and that he believes additional half timbers at each elevation would create a stronger Tudor influence. The applicant indicated that would be acceptable.

Commissioner Ortiz said she supported additional timbers, and was comfortable leaving the exact number and placement to the designer.

**A motion to approve the design changes to application #11-136 with the following conditions was made by Commissioner Welch and seconded by Commissioner Ortiz:**

**CONDITIONS**

1. All previous conditions of approval of Permit #11-136 continue to apply.

2. The applicant shall construct the exterior modifications presented to the Planning Commission at the October 3, 2013, Planning Commission meeting and include additional half timbers on the second story of each elevation as discussed to more closely resemble the original approval. The changes must be constructed by December 3, 2013. The financial guarantee held by the City will be released upon completion of all Planning Commission required modification.

**FINDINGS**

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

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project conforms to the development standards of the R-1 (Single Family Residence) Zoning District. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance, General Plan and Local Coastal Plan.

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

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the exterior modifications to the project. The exterior material is similar to other newer residences in the area therefore, the project’s overall design will maintain the character and integrity of the neighborhood.

**C**. **A Mitigated Negative Declaration has been prepared for this project based upon the completion of an Initial Study which identified less than significant impacts.**

A Mitigated Negative Declaration has been prepared and adopted based upon the findings of an Initial Study which identified that the project may have a significant effect on the environment due to the project site being located in geologic hazard, environmentally sensitive habitat, and archaeological sensitive zones. The Mitigated Negative Declaration was circulated for a 30 day public review period. Mitigation measures have been incorporated into the conditions of approval to ensure that impacts are reduced to a less than significant level.

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

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1. **DIRECTOR’S REPORT**

In response to a question by the Commission at the September meeting, Director Grunow confirmed that the tree fund contains $21,300 to be used for tree planting or replacement in parks and street lining. He will research recent uses of fund money and if there are plans to replace a recently removed palm on Capitola Avenue.

The General Plan Advisory Committee will meet on Oct. 29, 2013, to make comments on the draft.

The City Council approved an amended in-lieu parking plan to set aside 57 spaces in the Pacific Cove lot. It will be limited to hotel uses in the Central Village district with valet service, and fees will be set at the time of application. Staff will create a revised administrative policy.

Staff will be bringing an item on village signs and code enforcement to the City Council on Oct. 24.

The EIR scoping comment period has ended for the Monarch Cove expansion application and the City received many comments. Work on the EIR will now begin. The best timing estimate for the project to come before the Planning Commission is early 2014. Commissioner Ortiz asked who would be handling the historic review. Director Grunow responded that the City-selected contractor Rincon chooses its own subcontractors, but he recalls it is an Oregon-based company. Commissioner Ortiz suggested Susan Lehmann is familiar with the property and could perhaps provide a peer review. Commissioner Welch noted that there had been questions about a lack of transcription or videotape for the scoping meeting. Director Grunow explained that formal recording is not usually in place for these types of meetings, although three people were taking notes. He will check if a video recording may be possible for future meetings.

1. **COMMISSION COMMUNICATIONS**

None

1. **ADJOURNMENT**

The Planning Commission adjourned the meeting at 7:37 p.m. to a Regular Meeting of the Planning Commission to be held on Thursday, Nov. 7, 2013, at 7 p.m. in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

Approved by the Planning Commission on Nov. 7, 2013.

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Linda Fridy, Minute Clerk