



MINUTES

CAPITOLA PLANNING COMMISSION THURSDAY, FEBRUARY 7, 2008 7:00 P.M. – COUNCIL CHAMBERS

Chairperson Harlan called the Regular Meeting of the Capitola Planning Commission to order at 7:07 p.m. in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

PRESENT: Commissioners Burke, Newman, Norton and Chairperson Harlan
ABSENT: Commissioner Marlatt
STAFF: Senior Planner Bane
Minute Clerk Uharriet

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

Senior Planner Bane announced that due to the lack of a quorum, Public Hearing Item 5A should be moved on the agenda to be heard following Public Hearing Item 5B in the event a quorum could be reached later in the meeting.

B. Public Comments

NONE

3. APPROVAL OF MINUTES

A. January 17, 2008

Commissioner Newman clarified on page 9, fifth paragraph, "Commissioner Newman **noted** the concept..."

Commissioner Burke clarified on page 5, Public Hearing Item 5A, third paragraph under the Commission discussion, "Commissioner **Burke** ascertained..."

A MOTION WAS MADE BY COMMISSIONER NEWMAN AND SECONDED BY COMMISSIONER NORTON TO APPROVE THE MINUTES OF JANUARY 17, 2008, WITH CHANGES.

MOTION PASSED 4-0

4. CONSENT CALENDAR

A. 1375 49TH AVENUE – PROJECT APPLICATION #05-066

REQUEST FOR A PERMIT EXTENSION FOR A PREVIOUSLY APPROVED COASTAL PERMIT AND ARCHITECTURAL AND SITE REVIEW FOR A DEMOLITION OF A SINGLE FAMILY RESIDENCE AND CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE IN THE R-1 SINGLE-FAMILY RESIDENCE ZONING DISTRICT. (APN 034-065-29)

PROPERTY OWNER/APPLICANT: DON & TRACEY OLKER
REPRESENTATIVE: WILLIAM FISHER

A MOTION WAS MADE BY COMMISSIONER NORTON AND SECONDED BY COMMISSIONER NEWMAN TO APPROVE A TIME EXTENSION OF APPLICATION #05-066 WITH THE FOLLOWING CONDITIONS AND FINDINGS:

MOTION PASSED 4-0

5. PUBLIC HEARINGS

- A. 4630 CAPITOLA ROAD - PROJECT APPLICATION #07-035
SIGN PERMIT, A VARIANCE TO PARKING, AND A CONDITIONAL USE-PERMIT TO CONVERT A SINGLE-FAMILY RESIDENCE INTO A BED AND BREAKFAST USE IN THE CR (COMMERCIAL/RESIDENTIAL) ZONING DISTRICT. (APN 034-031-28) CATEGORICALLY EXEMPT. FILED 6/1/07
PROPERTY OWNER/APPLICANT: TINA DISTAD

Due to a lack of a quorum this item was continued to the February 21, 2008 meeting.

A MOTION WAS MADE BY COMMISSIONER NORTON AND SECONDED BY CHAIRPERSON HARLAN TO CONTINUE APPLICATION #07-035 TO THE FEBRUARY 21, 2008 MEETING.

APPROVED 2-0, COMMISSIONER BURKE AND COMMISSIONER NEWMAN RECUSED.

- B. 1595 38th AVENUE - PROJECT APPLICATION #07-067
DESIGN PERMIT AND SIGN PERMIT FOR A MAJOR REMODEL TO AN EXISTING COMMERCIAL BUILDING, CONVERTING THE STRUCTURE FROM A CAR STEREO INSTALLATION BUSINESS TO A PROFESSIONAL OFFICE USE IN THE CN (NEIGHBORHOOD COMMERCIAL) ZONING DISTRICT. (APN 034-181-05) CATEGORICALLY EXEMPT. FILED 12/19/07
PROPERTY OWNER/APPLICANT: JENKINS INVESTMENTS LLC
APPLICANT: WINDWARD CO.

Senior Planner Bane presented the staff report. The public hearing was opened.

Bill Jenkins, business and property owner, spoke in support of the application. He commented that the proposed office space is for his development business and that it is the best use for the property due to the small lot. Typically clients do not come to the office for business so the four parking spaces will be sufficient for the employees.

Commissioner Norton stated that the Ow Family businesses had submitted a letter with concerns about the parking.

Commissioner Harlan asked several questions about the red tag on the property. She noted that there should be more trees incorporated into the landscape plan. She supported the project and stated that it will be a great improvement to the area.

Commissioner Burke supported the use of the LED lights and the potential of solar panels to be installed at a later date. He suggested that a tree could be planted towards the rear of the building. He supported the site plan and complimented the applicant on the site design of keeping the parking and driveway away from the residential neighbor. The lilies in the proposed landscape plan should be planted with a barrier.

In response to the Commissioners' comments, Mr. Jenkins stated that the red tag was a communication issue. The fire hydrant will be relocated and the entire curb will be painted red. The trash and recycling bins will be located on the east side of the property, away from the residential neighbor. He requested approval of installing colored concrete on-site. There is no room for an additional tree at the front of the lot because there are underground utilities.

The public hearing was closed.

Commissioner Norton supported the project and commented that the site was difficult to plan and design. He suggested that the General Plan Update review properties for the potential highest best use.

A MOTION WAS MADE BY COMMISSIONER NORTON AND SECONDED BY COMMISSIONER BURKE TO APPROVE APPLICATION #07-067 WITH THE FOLLOWING CONDITIONS AND FINDINGS:

CONDITIONS

1. The project approval consists of a major renovation to an existing commercial building at 1595 38th Avenue. Renovations include demolition of a portion of the garage (approximately 151 square feet), interior remodel with new interior walls, heating system, electrical and kitchen. Exterior improvements to the structure include a new front porch, Milgard vinyl windows, concrete lap siding, composition roof and new doors. Site work improvements include new curb, gutter and sidewalk, driveway, rear parking lot, front and rear ADA compliant entry ramps, landscaping, fencing, and underground utilities.
2. Any significant modifications to the size or exterior appearance of the structure must be approved by the Planning Commission. Similarly, any significant change to the use itself, or the site, must be approved by the Planning Commission.
3. The application shall be reviewed by the Planning Commission upon evidence of non-compliance with conditions of approval or applicable municipal code provisions.
4. 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.
5. Application for building permits shall be prepared and submitted by a licensed architect.
6. No roof equipment is to be visible to the general public. Any necessary roof screening is to match the color of the building as closely as possible. Plans for any necessary screening shall be submitted to the Community Development Department prior to, or in conjunction with, building permit submittal.
7. Hours of construction shall be Monday to Friday 7:30AM – 9:00PM, and Saturday 9:00AM – 4:00PM, per city ordinance.
8. The first 5' along 38th Avenue shall be offered for dedication to the City of Capitola for curb, gutter and sidewalk improvements.
9. The applicant shall construct curb, gutter and sidewalk per the plans approved by the Director of Public Works.
10. The applicant shall design a drainage system so that the post construction runoff is not greater than pre construction runoff levels.
11. The four parking spaces along the rear property line shall be of a pervious concrete.
12. Applicant shall provide downstream drainage analysis and documentation allowing discharge into the neighboring property's drainage system.

13. Prior to issuance of a building permit, any necessary encroachment permit shall be obtained from the Public Works Director.
14. All lighting shall be focused downward and away from adjacent properties.
15. The applicant shall comply with all requirements of the Santa Cruz Water District with regard to the required landscape irrigation and any other new water fixture requirements.
16. All landscaping improvements and sprinkler systems shall be installed prior to issuance of the Certificate of Occupancy. Subsequently, all landscaping must be maintained and non-maintenance will be a basis for review by the Planning Commission.
17. The final landscape plan submitted with the building permit application shall include the specific number of plants of each type and their size, as well as the irrigation system to be utilized.
18. Utilities shall be underground to the nearest utility pole in accordance with Public Works Department requirements. A note shall be placed on the final building plans indicating this requirement.

FINDINGS

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

Community Development Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project conforms with the development standards of the CN (Neighborhood Commercial) Zoning District. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance and General Plan.

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

Planning Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project conforms with the development standards of the CN (Neighborhood Commercial) Zoning District. Conditions of approval have been included to ensure that the project maintains the character and integrity of the neighborhood.

- C. **This project is categorically exempt under Section 15301(e)(2) of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.**

Section 15301(e)(2) of the CEQA Guidelines exempts interior or exterior alterations to existing structures. No adverse environmental impacts were discovered during review of the proposed project.

APPROVED 3-0, COMMISSIONER NEWMAN RECUSED.

6. NEW BUSINESS

NONE

7. ORAL COMMUNICATIONS

A. Director’s Report

Senior Planner Bane announced that there will be a Joint Special Meeting with the City Council to be held on Thursday, February 14, 2008 in the City Council Chambers. The Regional Transportation Commission will be making a presentation on the Highway 1 High Occupancy Vehicle (HOV) Lane widening project.

The Police Community Service Officer has begun abatement of the trucks and cars located at the former Ralph’s property.

B. Commission Comments

Commissioner Burke requested a status report on the Whole Foods project. Commissioner Newman commented on an email communication received from a neighbor with concerns about the construction at 1066 41st Avenue. Commissioner Norton suggested that staff proactively advise the public about the new building code requirements that may affect construction plans. Commissioner Burke suggested that staff provide a public handout to inform people of the new regulations. Chairperson Harlan presented several periodical articles on the closure of Hollywood video, and the City of Cupertino as a destination downtown and the development to draw people to the downtown area. In response to the Commissioner’s comments, Senior Planner Bane stated that staff has not received any new information regarding Whole Foods. Staff has reviewed the Planning approval, Building Permit plans and verified on-site that the residential development at 1066 41st Avenue is building in accordance with all the approved plans. Senior Planner Bane explained that staff provides information to applicants regarding the planning and building regulations, but that a handout would be a useful tool. At this time, a soils report will be required at the time of building permit application.

8. ADJOURNMENT

The Capitola Planning Commission adjourned at 8:10 p.m. to a Special Joint Meeting with the City Council to be held on Thursday, February 14, 2008, in the City Council Chambers, 420 Capitola Avenue, Capitola, California.

Adopted by the Planning Commission on _____

Approved by Juliana Rebagliati, Community Development Director _____