



MINUTES

CAPITOLA PLANNING COMMISSION THURSDAY, APRIL 17, 2008 7:00 P.M. – COUNCIL CHAMBERS

Chairperson Harlan called the Regular Meeting of the Capitola Planning Commission to order at 7:04 p.m.

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Present: Commissioners Burke, Marlatt, Newman, Norton and Chairperson Harlan
Absent: None
Staff: Community Development Director Rebagliati
Senior Planner Bane
Minute Clerk Uharriet

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

NONE

B. Public Comments

NONE

3. APPROVAL OF MINUTES

A. April 3, 2008

A MOTION WAS MADE BY COMMISSIONER NORTON AND SECONDED BY COMMISSIONER BURKE TO APPROVE THE MINUTES OF APRIL 3, 2008.

MOTION PASSED 4-0, COMMISSIONER MARLATT ABSTAINED.

4. CONSENT CALENDAR

A. **1441 A/B & 1443 A/B 38TH AVENUE - PROJECT APPLICATION #07-062**
REQUEST FOR APPROVAL OF A MINOR LAND DIVISION TO CONVERT FOUR APARTMENT UNITS TO CONDOMINIUMS IN THE RM-M (MULTIPLE FAMILY RESIDENCE: MEDIUM) ZONING DISTRICT. (APN 034-181-34) CATEGORICALLY EXEMPT. FILED 9/18/07
PROPERTY OWNER: JOSE I. MORENO
APPLICANT: LEILANI WILLIAMS

A MOTION WAS MADE BY COMMISSIONER MARLATT AND SECONDED HARLAN BY TO APPROVE APPLICATION #07-062 WITH THE FOLLOWING CONDITIONS AND FINDINGS:

CONDITIONS

1. The project approval consists of a tentative map converting an existing four-unit apartment complex into four condominium units at 1441 and 1443 38th Avenue.
2. Any significant modifications to the size or exterior appearance of the structure must be approved by the Planning Commission.
3. The subdivider shall comply with all of the provisions of the approved Tentative Map and all pertinent provisions of the Municipal Code.
4. The new landscaping shall be installed and approved by the Community Development Department prior to recordation of the final condo map. An irrigation system shall be installed as part of the new landscaping.
5. A Homeowner's Association CC&R document shall be prepared by the developer and subject to the approval of the Community Development Director, Public Works Director, and City Attorney. The CC&Rs shall be prepared and approved prior to recordation of the Parcel Map and all costs associated with the creation of the documents will be the responsibility of the applicant.
6. The owner/applicant shall comply with the Inclusionary Housing Ordinance.

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 and the Planning Commission have reviewed the project and determined that the project is consistent with the development standards of the RM-M (Multiple Family Residence: Medium) 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.**

Community Development Staff and the Planning Commission have reviewed the project and determined that the proposed project will maintain the character and integrity of the neighborhood. Conditions of approval have been included to ensure that the project maintains the character and integrity of the neighborhood.

- C. **The application is consistent with the Subdivision Map Act and local Subdivision Ordinance.**

The subdivision was designed in accordance with the Subdivision Map Act and local ordinances enacted pursuant thereto. Per the Subdivision Map Act, the proposed map is consistent with the General Plan, is physically suited for the proposed type and density of development, will not cause substantial environmental damage, or substantially and avoidably injure fish, wildlife or their habitats, will not cause serious public health problems, and will not conflict with public easements for access through, or use of, property within the proposed subdivision.

- D. **This project is categorically exempt under Section 15315 of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.**

Section 15315 of the CEQA Guidelines exempts minor land divisions in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and Zoning.

MOTION PASSED 4-0, COMMISSIONER NEWMAN RECUSED.

5. PUBLIC HEARINGS

- A. **1750 41ST AVENUE- PROJECT APPLICATION #07-032**
ARCHITECTURAL AND SITE REVIEW FOR AN EXTERIOR REMODEL TO AN EXISTING RETAIL STORE (LONG'S DRUGS), SIGN PERMIT, AND AMENDMENT OF A CONDITIONAL USE PERMIT TO ADD A DRIVE-THRU PHARMACY IN THE CC (COMMUNITY COMMERCIAL) ZONING DISTRICT. (APN 034-131-16) CATEGORICALLY EXEMPT. FILED 6/1/07
PROPERTY OWNER: LONGS DRUGS, INC.
APPLICANT: LAILE GIANSETTO, PSM ARCHITECTS, INC.

Senior Planner Bane presented the staff report.

Commissioner Norton questioned the use of the access at the rear of the buildings, and if five vehicles were stacked in the drive-thru would the alleyway be blocked?

Senior Planner Bane responded that the access at the rear of the building may not have been designed for regular traffic flow, but has been used as a standard access through the property. He noted that the traffic and parking study prepared for the project indicated that 5 ½ cars could stack in the drive-thru lanes without blocking the alleyway.

Commissioner Marlatt stated that the law requires the pharmacist to consult with a patient and the most private way of achieving this would be from the driver's side of the vehicle, thus the proposed flow for the drive-thru.

Commissioner Burke ascertained that the neighbors within 300' of the project were notified of the public hearing.

The public hearing was opened.

Laile Giansetto, representative from PSM Architects, Inc., spoke in support of the project. Ms. Giansetto presented the various types options for customers to consult the pharmacist. Studies show that people prefer eye-to-eye contact so that having the pharmacist on the driver's side is essential to the drive-thru. There is also an option of picking up a handset to speak to the pharmacist. She stated that the traffic and parking study showed a maximum of 13 cars per hour utilizing the drive-thru during peak times. The drive-thru is a competitive advantage to the store. The drive-thru pharmacy option provides a convenience service to customers who may be ill and prefer to stay in their vehicle rather than coming into the store for a prescription .

Commissioner Marlatt noted that no directional signage was proposed and suggested that if possible, some type of off-site signage would be helpful to familiarize customers with the traffic flow and the drive-thru pharmacy. He suggested Longs provide brochures and fliers to announce and educate customers about the access from behind the building.

Commissioner Burke suggested that the pedestrian crosswalk be delineated with colored pavement or some type of contrasting pavement. He noted that there was not a change at the 41st Avenue entrance. He restated his previous concerns that a planter blocks the flow of traffic into the parking lot and causes cars to back up onto 41st Avenue. He suggested that the entrance driveway off of 41st be redesigned to permit a direct flow of traffic into the parking lot. He suggested the possibility of

installing some type of wheel stop to prevent cars from speeding through the parking lot area at an angle. In reference to the plan set sheet A3, which shows an area for outdoor sales, he asked the intended use of the area.

Commissioner Norton questioned if the pharmacy was becoming a primary use or a secondary use to the store since the proposed signage indicates “Drive-thru Pharmacy” as part of the overall sign. He also questioned if there were any other drive-thru pharmacies in the county other than Walgreen’s in Santa Cruz.

Commissioner Newman questioned if the applicant had any objections to the conditions, such as, the requirement for shopping cart collection.

In response to the Commission’s questions, Laile Giansetto stated that she was willing to work with staff to seek a solution to the parking lot entrance modification at 41st Avenue and a solution to keeping cars from crossing the parking lot. The pharmacy is a secondary use to Longs, however the drive-thru is a competitive edge to offering customers additional amenities.

The public hearing was closed.

Commissioner Marlatt supported the application. He suggested and added condition to work with the property owner to the north to obtain permission for placing a directional sign instructing motorists to use the rear of building for the drive-thru. He did not support the main sign as proposed and recommended the elimination of the reference to the drive-thru pharmacy. He stated that once established regular customers will know the drive-thru is there. He supported Commissioner Burke’s recommendations to delineate the pedestrian crossing with textured or colored paving, and the installation of parking stops or planter areas to discourage vehicles crossing through the parking lot. He supported the remodel of the façade as proposed since the remodel is simply more “lipstick on a walrus.”

Commissioner Newman concurred with Commissioner Marlatt’s comments. He was disappointed in the façade remodel, but supported the plan. He would not support the addition of wheels stops in the parking lot if added as a condition.

Commissioner Norton supported the concept of the remodel but not the drive-thru pharmacy. He was disappointed in the façade remodel and had hoped to see improved pedestrian access and integration with the potential Whole Foods site. He stated that the drive-thru pharmacy was bringing vehicles closer to the building, increasing the carbon footprint and increasing the convenience for the store not the customer. He stated that the site traffic and circulation is poorly designed and does not function well. Some type of directional signage will be helpful to guide customers through the site, but would not adequately address the overall issues associated with the drive-thru pharmacy.

Commissioner Burke supported the application if additional redesign improvements were addressed. He commented that the drive-thru does not seem to function well and would like to see more improvement in the design by further articulating the pedestrian walk between Longs and McDonald’s. He stated that the proposed curve design of the curb/divider in the drive-thru exit lane forces a driver to make a very sharp left turn across a traffic lane and directly to a stop sign that is adjacent to the pedestrian crossing. Although a feasible it is a difficult maneuver that may create a problem with both cross traffic and pedestrians. He suggested pulling back the curb/divider to give a vehicle additional room to maneuver out of the drive-thru and into the flow of on-site circulation. He also spoke with concerns about the alley drainage and access, and commented that it is a narrow path for traffic. He noted that the landscape plan shows of 13 trees on site 12 will be removed, but there was not a plan for replacement. He recommended tree replacement be at a 2:1 ratio or whatever the 41st Avenue Design Plan requires.

Commissioner Harlan supported the concept of the remodel but not the drive-thru pharmacy. She would like to see more improvements in the façade remodel since this is an opportunity to improve the existing building. A redesign should include more landscaping and additional building articulation.

Commissioner Marlatt invited the applicant to address the Commission's comments.

Laile Giansetto stated that although there is a willingness to work on a redesign with staff, Longs will not contemplate a façade remodel without the drive-thru pharmacy. Ms. Giansetto requested the Commission continue the application for redesign.

Commissioner Norton specified that he would like to see a complete circulation plan for the entire site. He encouraged the applicant to discuss installing a sidewalk in front of McDonald's.

Laile Giansetto stated that Long's will work with the neighboring property owner regarding the sidewalk but would not install a new sidewalk for the adjacent owner.

Commission Burke made a motion to continue the application for redesign with the following suggestions: incorporate colored or textured paving to delineate the crosswalk; post a sign that requires motorist to shut off their vehicles while waiting at the drive-thru; redesign the drive-thru exit to guide vehicles safely from the drive-thru to the stop sign without impeding pedestrian crossing or traffic flow; remove "Drive-thru Pharmacy" from the proposed signage; redesign the parking lot entrance from 41st Avenue for ease of entry onto the site; proposed installing alternating curbed medians to prevent cross traffic in the parking lot area; submit a site circulation plan; redesign the landscape plan to incorporate a tree replacement plan consistent with ordinance requirements and the 41st Avenue Design Guidelines.

A MOTION WAS MADE BY COMMISSIONER BURKE AND SECONDED BY COMMISSIONER MARLATT TO CONTINUE APPLICATION #07-032 FOR REDESIGN.

MOTION PASSED 3-2, COMMISSIONER NORTON AND CHAIRPERSON HARLAN DISSENTING.

Senior Planner Bane requested the Commission continue the item to the May 15, 2008 meeting.

A MOTION WAS MADE BY COMMISSIONER BURKE AND SECONDED BY COMMISSIONER MARLATT TO CONTINUE APPLICATION #07-032 TO THE MAY 15, 2008 MEETING FOR REDESIGN.

MOTION PASSED 3-2, COMMISSIONER NORTON AND CHAIRPERSON HARLAN DISSENTING.

- B. **1911 42ND AVENUE – PROJECT APPLICATION #08-003**
PRELIMINARY DEVELOPMENT PLAN FOR A PROPOSED PLANNED DEVELOPMENT REZONING FOR A FOURTEEN LOT SUBDIVISION, AND CONSTRUCTION OF FOURTEEN SINGLE-FAMILY HOMES IN THE RM-M (MULTIPLE FAMILY RESIDENCE: MEDIUM) ZONING DISTRICT. (APN 034-201-033) FILED 2/4/08.
PROPERTY OWNER/APPLICANT: MARK DEMATTEI
REPRESENTATIVE: TOM THACHER/THACHER & THOMPSON ARCHITECTS

A MOTION WAS MADE BY COMMISSIONER NEWMAN AND SECONDED BY COMMISSIONER BURKE TO CONTINUE APPLICATION #08-003 TO THE MAY 1, 2008 PLANNING COMMISSION MEETING.

MOTION PASSED 4-0, CHAIRPERSON HARLAN RECUSED.

6. NEW BUSINESS

NONE

7. ORAL COMMUNICATIONS**A. Director's Report**

Community Development Director Rebagliati stated that the City Council had discussed the issue of receiving informational items in a timely manner so that they may review the communication pertaining to any particular item on an agenda. She would keep the Commission informed as to the progress of the discussion or any policy that may be formulated.

She addressed the Commission's concern that staff had been placing items on an agenda and then continuing the application. She stated that often there are office emergencies and other situations arise that cannot be addressed in a timely manner to include in a staff report or that information arises pertaining to an application that requires further staff review and therefore an application is continued. She announced the Sea Wall Tile Art Project and provided a flier for the Commissioner's.

B. Commission Comments

Commissioner Norton stated that he would rather receive communications from the public at the last minute than not at all. He gave a brief presentation on the Sea Wall Tile Art Project.

Commissioner Marlatt announced his resignation as a Planning Commissioner.

8. ADJOURNMENT

Chairperson Harlan adjourned the meeting at 8:28 P.M. to a Regular Meeting of the Planning Commission to be held on Thursday, May 1, 2008, in the City Hall Community Room, 420 Capitola Avenue, Capitola, California.

Adopted by the Planning Commission on _____

Approved by Juliana Rebagliati, Community Development Director _____