



## MINUTES

### CAPITOLA PLANNING COMMISSION THURSDAY, JUNE 5, 2008 7:00 P.M. – COUNCIL CHAMBERS

Chairperson Harlan called the Regular Meeting of the Capitola Planning Commission to order at 7:05 P.M.

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

Present: Commissioners Burke, Hale, Newman, Norton and Chairperson Harlan  
Absent: None  
Staff: Community Development Director Rebagliati  
Housing and Redevelopment Project Manager Foster  
Minute Clerk Uharriet

#### 2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

NONE

B. Public Comments

NONE

#### 3. NEW BUSINESS

Swearing in of Commissioner Hale

#### 4. APPROVAL OF MINUTES

A. May 15, 2008

Commissioner Burke made the following clarifications: Public Hearing Item 5.A. 1750 41<sup>st</sup> Avenue: Page 5, Condition 14 to read as follows: "The final site plan submitted with the building permit application shall include the paving material of the crosswalk between Longs and McDonalds, be specifically designated as concrete. Public Hearing Item 5.B. 4980 Cliff Drive: Page 7, seventh paragraph, "...He ascertained from Kathryn Gultieri that there is 17 other properties that are historically significant based on the occupant's contribution to the establishment of the City.

Commissioner Norton made the following clarification: Page 1, under Approval of Minutes, May 1, 2008, identify the project by adding Public Hearing Item 5.B., 1820 41<sup>st</sup> Avenue, Application #08-018.

A MOTION WAS MADE BY COMMISSIONER NORTON AND SECONDED BY COMMISSIONER NEWMAN TO APPROVE THE MINUTES OF MAY 15, 2008, WITH CHANGES.

**MOTION PASSED 4-0, COMMISSIONER HALE ABSTAINED.**

## 5. CONSENT CALENDAR

### A. CAPITAL IMPROVEMENT PLAN (CIP)

REVIEW OF THE CITY OF CAPITOLA'S CAPITAL IMPROVEMENT PLAN (CIP) FOR CONSISTENCY WITH THE CITY'S GENERAL PLAN. CITYWIDE.  
APPLICANT: CITY OF CAPITOLA

Chairperson Harlan requested that the Planning Commission receive the CIP earlier in the process so that the City Council may consider the Commission's comments.

Community Development Director Rebagliati presented the staff report.

Commissioner Norton ascertained that the Highway One overpass project listed on page 2 has been funded, but will remain on the list until the Council directs the item to be removed. The 47<sup>th</sup> Avenue traffic-calming project has been on the list because of neighborhood interest. He commented that the City should work with the neighbors to find out if there is still interest in the project, otherwise he recommends that the project be removed. He ascertained that the roundabout at Bay and Capitola Avenue is the result of a study, but that the round about is only an option that requires addition evaluation. Finally, the skate park development remains on the list with no direction from the Council to remove it as an improvement.

Commissioner Hale questioned the funding for the overcrossing project. Staff responded that the funding is from multiple sources: Home Depot, the County and the City. The list of NTAC projects was developed with a lot of public input and staff involvement. She noted that this a difficult financial environment, and commended the city for the funds contributed through the sales tax.

Commissioner Newman stated that the Commission should concentrate on the issues that relate to planning and the consistency with the General Plan.

In response to Commissioner Norton's comments regarding 47<sup>th</sup> Avenue, Commissioner Burke stated that the NTAC (Neighborhood Traffic Advisory Committee) project list was based on substantial neighborhood involvement and input from different members representing different areas of the city. Because the engineering consultant was only involved at the beginning of the NTAC, some of the proposed improvements were not necessarily an engineered solution, but were listed by the Committee as improvements that addressed a problem. These improvements may not have been the right improvement once the project reached the engineering evaluation stage.

He also commented that the new signals at 41<sup>st</sup> Avenue and Capitola Road should include signal timing and coordination with other signals to create and maintain an even flow of traffic. He suggested an evaluation of east to west-bound simultaneous traffic flow. He suggested that the true capital improvements be separated from projects that are considered part of the maintenance program.

Chairperson Harlan questioned why the entire signals at 41<sup>st</sup> Avenue and Capitola Road required replacement. She stated that she would be submitting a letter with her list of projects and comments. She emphasized that there is a lack of funds from the RDA and the City for CIP projects and programs. The raised crosswalk at the Esplanade is extremely expensive as is the improvements at Clares Street and Wharf Road. The various CIP projects seem to be a lot of money for a very small project. The City should look into Coastal Conservancy Grants to rebuild the stairs at Hooper Beach. She would reprioritize and put 41<sup>st</sup> Avenue as a high priority since it is the main focus of the commercial area within the City. She wanted to see the Stockton Avenue Bridge walkway moved up on the list also. She commented on the re-landscaping at Hidden/Cortez Park and the Grand Avenue drainage improvements. She highlighted that the sidewalks throughout the City should be more accessible and the power poles should be removed with some type of program to accomplish the

task. She inquired on the implementation of the Soquel Creek Management Plan, noting that it should be a budget line item and requested a status report.

Commissioner Newman agreed with Chairperson Harlan regarding the lack of funds for CIP projects. He commented that the \$3 million spent on the Rispin project could have been spend on CIP improvements.

**A MOTION WAS MADE BY COMMISSIONER NEWMAN AND SECONDED BY COMMISSIONER HALE TO RECOMMEND TO THE CITY COUNCIL THAT THE C.I.P. IS CONSISTENT WITH THE GENERAL PLAN, SUBJECT TO THE FOLLOWING FINDINGS:**

**A. The Capital Improvement Plan is consistent wit the General Plan.**

Planning Staff and the Planning Commission have reviewed the Capital Improvement Plan and determined that the improvements identified in the plan are consistent with the General Plan/Local Coastal Plan.

**B. This project is statutorily exempt under Section 15262 of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.**

The Capital Improvement Plan is exempt from the California Environmental Quality Act. Each of the proposed improvements would require review for compliance with the California Environmental Quality Act at the time each of the improvement project plans are submitted.

**MOTION PASSED 5-0**

**6. PUBLIC HEARINGS**

NONE

**7. OTHER BUSINESS**

**A. PRESENTATION OF HOUSING PROGRAMS: FY 2007-2008 ANNUAL REPORT**

Housing and Redevelopment Project Manager Foster presented the staff report.

Commissioner Burke ascertained that currently approximately 30 applicants have been entered into a lottery for the units at Capitola Beach Villas. He suggested staff prepare a map showing existing, proposed, units under construction and opportunity housing sites.

Commissioner Norton recommended that the Commission should review and revise the inclusionary housing ordinance.

Commissioner Hale ascertained that the City's various housing programs are advertised through the City's website, the Housing Authority and other agencies such as the Community Action Board.

Chairperson Harlan suggested that housing staff write an article for the City newsletter.

## 8. ORAL COMMUNICATIONS

### A. Director's Report

Community Development Director Rebagliati announced her resignation and discussed the Council action for approving the hiring process.

The status of the Rispin project is that the Coastal Commission appeal hearing will be on June 13, 2008 in Santa Rosa and the court date was continued to June 19, 2008.

The status of the Whole Foods application is that the Architectural and Site Review Committee has reviewed the plans, made some design recommendations, but the applicant has not submitted any revised plans.

### B. Commission Comments

Commissioner Newman discussed the project at 1816 Wharf Road. He presented a brief project history: the lot size, that the applicant was represented by city architect, the Planning Commission denied project 3-0, the applicant appealed the Planning Commission decision, and staff recommended approval of the project to the City Council, overturning the Planning Commission decision. He was blown away by the staff recommendation to the City Council. He stated that the issue was with the City Council handling of the appeal; in that they found the applicant was making a concession regarding the sidewalk and that the home blends with the neighborhood. The Council made the finding that the development is minimal, but a 3,400 sq. ft. home was approved for a roughly 3,000 sq. ft. buildable lot with several variances. He stated that the action sends a poor message to the community that an applicant can propose anything and receive support and that applicant's don't have to follow the rules. He stated staff should not have made a recommendation to the City Council, but to let the Council make the final decision.

Chairperson Harlan fully concurred with Commissioner Newman and wanted to hold a joint meeting with the City Council to discuss variances and upholding the law.

Community Development Director Rebagliati stated that the City Council did not make their decision lightly. They took the Planning Commission's decision seriously and did not want to overturn the Planning Commission. However, the Council discussed the issue of the homes to the north and that other variances had been granted with equal or less parking. Additionally, the setback of the proposed home from the riparian setback required the home to be set forward putting required parking in the front setback and in the right of way. The Council supported the public improvement of installing the sidewalk at the adjacent property as being a greater good and in the community interest. Staff takes variances seriously and found that the application was consistent with the required findings. Staff has an obligation to make a recommendation to the City Council.

The commission concurred with holding a joint meeting with the City Council.

Commissioner Norton asked if the Whole Foods application will be reviewed by the Planning Commission prior to the Council holds the appeal hearing for Longs Drugs.

Community Development Director Rebagliati responded that there are mandated time limits for the City Council to hear an appeal and that Whole Foods has not submitted any revisions.

Commissioner Hale stated that she would be unable to attend the July 3<sup>rd</sup> meeting.

**9. ADJOURNMENT**

Adjourned at 9:05 P.M. to a Regular Meeting of the Planning Commission to be held on Thursday, June 19, 2008, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

Adopted by the Planning Commission on June 19, 2008

Approved by Juliana Rebagliati, Community Development Director \_\_\_\_\_