



## AGENDA

### CAPITOLA PLANNING COMMISSION THURSDAY, NOVEMBER 5, 2009 7:00 P.M. – COUNCIL CHAMBERS

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

Commissioners Harlan, Newman, Ortiz, Termini and Chairperson Burke

Staff:           Community Development Director Goldstein  
                  Senior Planner Bane  
                  Associate Planner Akeman  
                  Minute Clerk Uharriet

**2. ORAL COMMUNICATIONS**

A.     Additions and Deletions to Agenda

B.     Public Comments

*Short communications from the public concerning matters not on the Agenda.*

**All speakers are requested to print their name on the sign-in sheet located at the podium so that their name may be accurately recorded in the Minutes.**

**3. NEW BUSINESS**

NONE

**4. APPROVAL OF MINUTES**

A.     September 22, 2009 Special Joint Meeting of the City Council and Planning Commission with California Assembly Member Bill Monning

B.     October 1, 2009 Regular Planning Commission Meeting

**5. CONSENT CALENDAR**

*All matters listed under "Consent Calendar" are considered by the Planning Commission to be routine and will be enacted by one motion in the form listed below. There will be no separate discussion on these items prior to the time the Planning Commission votes on the action unless members of the public or the Planning Commission request specific items to be discussed for separate review. Items pulled for separate discussion will be considered in the order listed on the Agenda.*

**A.     4140 CAPITOLA ROAD,  
          SUITE S & T**

**#09-116**

**APN: 034-111-49**

Conditional Use Permit for a personal service establishment (China Foot Massage) in the CC (Community Commercial) Zoning District.

Environmental Determination: Categorical Exemption

Property Owner: Christina Properties LLC, c/o Biagini Properties Inc. filed: 10/8/09

Representative: Jishen Pan

**6. PUBLIC HEARINGS**

*Public Hearings are intended to provide an opportunity for public discussion of each item listed as a Public Hearing. The following procedure is as follows: 1) Staff Explanation; 2) Public Discussion; 3) Planning Commission Comments; 4) Close public portion of the Hearing; 5) Planning Commission discussion; and 6) Decision.*

**A. 2040 EDMUND LANE**

#09-107

**APN: 034-412-55**

Request for a variance to the side yard setback for a previously approved (06-043) and partially constructed two-story single-family residence in the R-1 (Single-Family Residence) Zoning District.

Environmental Determination: Categorical Exemption

Property Owner: Paul Hiss, filed: 9/16/09

Representative: John Hiss

**B. 2178 41<sup>st</sup> AVENUE**

#09-111

**APN: 034-221-02**

Architectural and Site Review for exterior modifications and a sign permit for new signage at an existing gas station/food mart in the CC (Community Commercial) Zoning District.

Environmental Determination: Categorical Exemption

Property Owner: Ed Hadad, Hadad Enterprises, filed: 9/21/09

Representative: Bobby S. Gulshan, WD Partners

**7. ORAL COMMUNICATIONS**

A. Director's Report

B. Commission Comments

**8. ADJOURNMENT**

Adjourn to a Regular Meeting of the Planning Commission to be held on Thursday, December 3, 2009 at 7:00 p.m., in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

ALL DECISIONS OF THE PLANNING COMMISSION CAN BE APPEALED TO THE CITY COUNCIL WITHIN TEN (10) WORKING DAYS FOLLOWING THE DATE OF THE COMMISSION ACTION. IF THE TENTH DAY FALLS ON A WEEKEND OR HOLIDAY, THE APPEAL PERIOD IS EXTENDED TO THE NEXT BUSINESS DAY. APPEALS MUST BE IN WRITING, SETTING FORTH THE NATURE OF THE ACTION AND THE BASIS UPON WHICH THE ACTION IS CONSIDERED TO BE IN ERROR, AND ADDRESSED TO THE CITY COUNCIL IN CARE OF THE CITY CLERK. AN APPEAL MUST BE ACCOMPANIED BY A ONE HUNDRED THIRTY ONE DOLLAR (\$131) FILING FEE, UNLESS THE ITEM INVOLVES A COASTAL PERMIT THAT IS APPEALABLE TO THE COASTAL COMMISSION, IN WHICH CASE THERE IS NO FEE. IF YOU CHALLENGE A DECISION OF THE PLANNING COMMISSION IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS AGENDA, OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE CITY AT, OR PRIOR TO, THE PUBLIC HEARING.

**IF YOU REQUIRE SPECIAL ASSISTANCE IN ORDER TO ATTEND, INCLUDING NEEDS ADDRESSED BY THE AMERICANS WITH DISABILITIES ACT, PLEASE NOTIFY THE PLANNING DIRECTOR AT (831) 475-7300 AT LEAST 3 DAYS PRIOR TO THE MEETING.**