



AGENDA

CAPITOLA PLANNING COMMISSION

Thursday, October 5, 2017 – 7:00 PM

Chairperson Ed Newman
Commissioners Linda Smith
Sam Storey
TJ Welch
Susan Westman

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

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.

C. Commission Comments

D. Staff Comments

3. PRESENTATION

A. State Density Bonus Overview

4. APPROVAL OF MINUTES

A. Draft Minutes September 6, 2017 Special PC Meeting

B. Draft Minutes September 7, 2017 PC 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. 4530 Garnet Street #17-0267 APN: 034-034-02

Design Permit application for a new two-story, single-family residence located in the R-1 (Single-Family Residential) zoning district.

This project is in the Coastal Zone but does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption

Property Owner: Clark Cochran

Representative: Dennis Norton, filed: 8/15/16

B. 1890 46th Avenue #17-0299 APN: 034-011-45

Design Permit for a remodel and addition to a single-family home with a new attached single-car garage with living space above. The property is located in the R-1 (Single-Family Residential) zoning district.

This project is in the Coastal Zone but does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption

Property Owner: Pauline Moore Naber

Representative: Dennis Norton, filed: 8/8/17

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 Presentation; 2) Public Discussion; 3) Planning Commission Comments; 4) Close public portion of the Hearing; 5) Planning Commission Discussion; and 6) Decision.

A. 108 Monterey Avenue #17-0350 APN : 035-262-09

Coastal Development Permit for a seasonal ice skating rink.

This project is in the Coastal Zone and requires a Coastal Development Permit which is appealable to the Coastal Commission after all local appeals are exhausted.

Environmental Determination: Categorical Exemption

Property Owner: City of Capitola

Representative: Capitola Village Wharf Business Improvement, filed: 9/11/17

B. 3400 Clares Street #17-054 APN: 034-261-35

Design Permit, Conditional Use Permit, and Sign Permit with Variance requests for multiple wall signs for a new Olive Garden Restaurant at the location of the former Marie Callender's building located in the CC (Community Commercial) zoning district.

This project is not in the Coastal Zone and does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption

Property Owner: Cypress Properties

Representative: Terry Womack, filed: 4/6/17

7. DIRECTOR'S REPORT**8. COMMISSION COMMUNICATIONS****9. ADJOURNMENT**

APPEALS: The following decisions of the Planning Commission can be appealed to the City Council within the (10) calendar days following the date of the Commission action: Conditional Use Permit, Variance, and Coastal Permit. The decision of the Planning Commission pertaining to an Architectural and Site Review Design Permit can be appealed to the City Council within the (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.

All 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 five hundred dollar (\$500) 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.

Notice regarding Planning Commission meetings: The Planning Commission meets regularly on the 1st Thursday of each month at 7 p.m. in the City Hall Council Chambers located at 420 Capitola Avenue, Capitola.

Agenda and Agenda Packet Materials: The Planning Commission Agenda and complete Agenda Packet are available on the Internet at the City's website: www.cityofcapitola.org. Agendas are also available at the Capitola Branch Library, 2005 Wharf Road, Capitola, on the Monday prior to the Thursday meeting. Need more information? Contact the Community Development Department at (831) 475-7300.

Agenda Materials Distributed after Distribution of the Agenda Packet: Materials that are a public record under Government Code § 54957.5(A) and that relate to an agenda item of a regular meeting of the Planning Commission that are distributed to a majority of all the members of the Planning Commission more than 72 hours prior to that meeting shall be available for public inspection at City Hall located at 420 Capitola Avenue, Capitola, during normal business hours.

Americans with Disabilities Act: Disability-related aids or services are available to enable persons with a disability to participate in this meeting consistent with the Federal Americans with Disabilities Act of 1990. Assisted listening devices are available for individuals with hearing impairments at the meeting in the City Council Chambers. Should you require special accommodations to participate in the meeting due to a disability, please contact the Community Development Department at least 24 hours in advance of the meeting at (831) 475-7300. In an effort to accommodate individuals with environmental sensitivities, attendees are requested to refrain from wearing perfumes and other scented products.

Televised Meetings: Planning Commission meetings are cablecast "Live" on Charter Communications Cable TV Channel 8 and are recorded to be replayed on the following Monday and Friday at 1:00 p.m. on Charter Channel 71 and Comcast Channel 25. Meetings can also be viewed from the City's website: www.cityofcapitola.org.



**DRAFT FINAL MINUTES
CAPITOLA PLANNING COMMISSION
SPECIAL MEETING
WEDNESDAY, SEPTEMBER 6, 2017
6 P.M. – CAPITOLA CITY COUNCIL CHAMBERS**

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Chairperson Edward Newman: Present, Commissioner Linda Smith: Present, Commissioner Sam Storey: Present, Commissioner Susan Westman: Present, Commissioner TJ Welch: Present

2. ORAL COMMUNICATIONS

- A. Additions and Deletions to Agenda - None**
- B. Public Comments - None**
- C. Commission Comments - None**
- D. Staff Comments - None**

3. PUBLIC HEARINGS

A. Zoning Code Update All Properties within Capitola

Comprehensive Update to the City of Capitola Zoning Code and updated Zoning Map (Municipal Code Chapter 17) and subsequent maps relative to the Zoning Code. The Zoning Code serves as the Implementation Plan of the City's Local Coastal Program and therefore must be certified by the Coastal Commission. Environmental Determination: Addendum to the General Plan Update EIR
Property: The Zoning Code update affects all properties within the City of Capitola.
Representative: Katie Herlihy, Senior Planner, City of Capitola

Chairperson Newman provided an introduction of the special meeting and Senior Planner Katie Herlihy began the staff presentation of the Third Draft of the Zoning Code. Senior Planner Herlihy gave an overview of the historical public input process, adoption hearings and timeline leading up to the Zoning Code Update.

Mr. Ron Graves shared his concern that people on the Potential Historic Resource list should be notified that they are on this list and added that architecture is not the only thing that determines whether or not something is historic.

John Draga, a builder who has worked on historic projects on Depot Hill, stated that there are guidelines for historical registry established by the federal Department of the Interior standards. According to those standards, the City would be required to have an inventory as a basis if they did not have an architectural review committee. In an effort to provide clear, concise standards, he suggested that it would be helpful to look at each individual property to determine what makes sense and require exploratory demolition and on-site meeting to determine what percentage of the structure would be salvageable in an effort to avoid unnecessary expense to property owners.

Commissioner Welch requested discussion on the City's potential historic structures list. In response to Commissioner Storey's concerns about property owners on existing

potential list being notified, Senior Planner Herlihy confirmed that the requirement for notification in the new zoning code only applies if a property is going to be added to the list. She also noted that criteria for historic significance exists within the National Park Service and that within the new zoning code the City has developed its own criteria for designating historic and references a list of potentially historic resources. The Commission agreed not to modify the draft code but requested that staff bring the discussion of revisiting the potential historic list to City Council as a work item.

During the discussion of curbside service under the Drive-Through and Car Service changes to the Zoning Code, Ron Graves addressed the Commission using the example of mobile take out at McDonald’s and shared parking spaces. He cautioned not to do a disservice to one commercial area at the benefit of another.

Mr. Graves shared his concerns regarding the 400 block of Capitola Avenue and the home directly next to the Police Department as part of the vacation overlay districts and the proposed re-zoning. He stated that he is not against vacation rentals with the proper protections to the adjacent residences. He believes the conditions placed on them would make them better neighbors and suggested requiring two parking spaces for each rental unit. He also suggested that vacation rentals be registered with the Police Department since it can be difficult to contact the owner of record. The area in question concerns him as the number of non-commercial uses in the area are approximately three. He questioned if this might be considered spot zoning since the commercial uses outweigh the residential units in this area. He also questioned if this was the best use of our housing stock considering the permanent shortage of housing in Santa Cruz County.

Eliot Beja, 4800 Opal Cliff, asked about his residence becoming rezoned from single-family to multi-family under the new zoning code. Senior Planner Herlihy confirmed that the recommendation in the new zoning map is to make the two properties in question high-density residential, bringing the properties into compliance.

Kate Sullivan, co-owner of 502 Beulah, requested that her property become a weekly rental instead of a monthly rental under the new zoning code. Commissioner Westman noted that it had already been recommended.

MOTION: RECOMMEND ADOPTION OF ZONING CODE UPDATE WITH THE FOLLOWING CHANGES:

#	Page	Section	Modification
5	72-2	17.72.030	<p>Revision:</p> <p>In addition to the requirements of this chapter, all applicable development in Capitola shall also comply with the <u>Model Water Efficient Landscaping Ordinance prepared by the California Department of Water Resources (DWR), when required by the California Water Conservation in Landscaping Act (Government Code Section 65591 et seq.) applicable water provider’s (i.e. the City of Santa Cruz Water Department or Soquel Creek Water District) Landscape Water Use Efficiency Ordinance.</u> If conflicts occur between the <u>applicable water provider’s Model Water Efficient-Landscape Water Use Efficiency Ordinance</u> and the Zoning Code, the more restrictive</p>

Minutes Acceptance: Minutes of Sep 6, 2017 6:00 PM (Draft Minutes September 6, 2017 Special PC Meeting)

#	Page	Section	Modification
			policy to conserve water shall control.
7	72-5	17.72.060.A.5	Revision: Decorative water features (e.g. fountains, ponds, waterfalls) must be approved by the Planning Commission and shall have recirculating water systems. <u>Automatic fill valves are not recommended for use with water features.</u>
8	72-5	17.72.060.B.1	Revision: Irrigation systems shall meet <u>the minimum irrigation efficiency standard of the applicable water district.</u>
9	72-5	17.72.060.B.2	Set threshold for separate landscape water meters for single-family residential development for parcels sized greater than 10,000 square feet.
10	72-5	17.72.060.B.8	Revision: Drip or bubble irrigation are required for all trees. <u>Bubblers should not exceed a flow rate of 1.5 gallons per minute.</u>
12	74-5	17.74.040.J.1	Remove utilities from this section as the City does not oversee the utilities.
14	96-2	17.96.020.B	Add a requirement that livestock shall be within a fenced yard.
16	80-5	17.80.050.A.16	Change Vacation Rental signs back to a maximum of 1 square foot.
22	Map	MU-N	Require a CUP for retail, personal service establishments, and offices within the MU-N along Capitola Road.
23	Map	Street Name	Correct zoning map error: 45 th Avenue is labeled 47 th Avenue.
24	80-15	17.80.080.K.3	Correct dimension of signs is 18 in. x 32 in.
25	136-2	17.136.060.F	Change “an” to “a”. The modification will not establish a precedent.
26	16-7	17.16.030.B.6	Note should refer to paragraph 7 instead of 6.
33	40-5	17.40.020.H.3	Note – change paragraph 4 to 3
40	72-3	17.72.050.A.2	Revision: 17.72.050.A.2 “Landscaping may consist of any combination of living plants, such as trees, shrubs and grass or <u>with</u> related natural features, such as rock, stone, or mulch; and may include patios, courtyards, and outdoor dining area. Decorative hardscape featuring pervious materials is permitted within required landscaping areas <u>combined with natural vegetation.</u>
43	76-4	Table 17.76-2	Staff inquired with the state as to whether the City can require guest parking for mobile home parks. The state had

#	Page	Section	Modification
			not responded at the time of drafting the report. If the state allows the City to require guest parking, staff recommends adding 1 guest space/10 mobile home units.
45	76-7	17.76.030.D	Note E should be changed to D
56	80-22	17.80.140.A.2	Change standard to require existing non-conforming signs to be reviewed during Planning Commission review of a design permit and state that the Planning Commission will have the authority to require non-conforming signs to come into compliance. Add discretionary criteria for when a non-conforming sign may stay – such as compatible with neighborhood scale.
67	16-3	17.16.030	Add a front yard setback for garage of 20 feet.
68	20-2	Table 17.20-1	The California Health and Safety Code requires cities to regulate residential care and group care facilities the same as family dwellings of the same type in the same zone. For example, a residential care facility in a detached “home” shall require the same permits and be subject to the same development standards as a detached single-family home. Recommendation: Remove the information for residential care facilities in the village from the land use table to a note explaining the law.
69	20-5	17.20.030(c)	The text refers to the wrong table number (17.20-2)
72	28-6	17.28.030(E)(1)	Add that light fixtures should be pointed downward.
73	40-3	17.40.020(G)(1)(b) AND C.3.b	Change “lower” income to “low” income
74	40-5	17.40.020(I)(4)(b)	Add mailboxes to list of structures not counted as common open space
75	48.5	17.48.040(B(1)(c)	Unclear what this means or how to calculate “lines drawn parallel to and two feet within the roof line of a carport.” Modify the language to “all area within the roof line of a carport”
76	52.2	Table 17.52-1	The table shows 23’ as maximum, but figure 17.52-1 indicates 21’
77	64.1	17.64.020	Combine Soquel Creek and Lagoon and Soquel Creek Riparian Corridor as a single area
78	20-5	17.20-1	Update figure to include correct height measurement and updated allowed roof types with original sketch.
79		Parking and Zoning Sections	Require a CUP for designated parking spaces within an integrated complex for an individual commercial tenant or

#	Page	Section	Modification
			designated curbside pickup area. Allow retail curbside within the all zones. Prohibit restaurant curbside except in Regional Commercial zone. In RC zone require CUP just like drive-through.
80	160-3	Glossary	Add definition of CEQA

RESULT:	RECOMMENDED [UNANIMOUS]
MOVER:	Linda Smith, Commissioner
SECONDER:	TJ Welch, Chairperson
AYES:	Smith, Newman, Welch, Westman, Storey

- 4. DIRECTOR'S REPORT – NONE
- 5. COMMISSION COMMUNICATIONS – NONE
- 6. ADJOURNMENT

Jacqueline Aluffi, Clerk to the Commission

Minutes Acceptance: Minutes of Sep 6, 2017 6:00 PM (Draft Minutes September 6, 2017 Special PC Meeting)



**DRAFT FINAL MINUTES
CAPITOLA PLANNING COMMISSION MEETING
THURSDAY, SEPTEMBER 7, 2017
7 P.M. – CAPITOLA CITY COUNCIL CHAMBERS**

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Chairperson Edward Newman: Present, Commissioner Linda Smith: Present, Commissioner Sam Storey: Present (arrived at 7:02 p.m.), Commissioner Susan Westman: Present, Commissioner TJ Welch: Present

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda - None

B. Public Comments - None

C. Commission Comments

Commissioner Welch noted that the Zoning Code Public Hearing process was completed at last night's special Planning Commission meeting and commended the staff for the hard work throughout the process.

D. Staff Comments - None

3. APPROVAL OF MINUTES

A. Planning Commission - Regular Meeting - Jun 1, 2017 7:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Susan Westman, Commissioner
SECONDER:	TJ Welch, Commissioner
AYES:	Smith, Newman, Welch, Westman, Storey

B. Planning Commission - Regular Meeting - Jul 20, 2017 7:00 PM

RESULT:	ACCEPTED [4-0]
MOVER:	TJ Welch, Commissioner
SECONDER:	Linda Smith, Commissioner
ABSTAINED:	Westman
AYES:	Smith, Newman, Welch, Storey

4. CONSENT CALENDAR

A. 602 El Salto #17-077 APN: 036-142-03

Design Permit for a remodel and addition with secondary dwelling unit to an existing two-story residence in the R-1 (Single-Family Residential) zoning district.

Minutes Acceptance: Minutes of Sep 7, 2017 7:00 PM (Draft Minutes September 7, 2017 PC Meeting)

This project is in the Coastal Zone and requires a Coastal Development Permit which is appealable to the California Coastal Commission after all possible appeals are exhausted through the City.

Environmental Determination: Categorical Exemption

Property Owner: Alex & Judi MacDonell

Representative: Derek Van Alstine, filed: 5/22/17

Commissioners Storey and Welch recused themselves from this item due to location proximity geographical conflict.

MOTION: Approve Design Permit and Coastal Development Permit with the following conditions and findings:

CONDITIONS OF APPROVAL

1. The project approval is for the construction of remodel, addition, and new secondary dwelling unit at 620 El Salto Avenue. The maximum Floor Area Ratio for the 9,131 square foot property is 60% (5,478 square feet). The total FAR of the project is 56% with a total of 5,143 square feet of floor area, compliant with the maximum FAR within the zone. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on September 7th, 2017, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans.
3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
4. At the time of submittal for building permit review, Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP) shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP).
5. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
6. Prior to issuance of building permit, a final landscape plan shall be submitted and approved by the Community Development Department. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of irrigation systems, if proposed. Native and/or drought tolerant species are recommended.
7. Prior to issuance of building permit, all Planning fees associated with permit #17-077 shall be paid in full.
8. Affordable Housing in-lieu fees are not required for this project because the addition is less than 50 percent of the square footage of the existing home.

9. Prior to issuance of building permits, the building plans must show that the existing overhead utility lines will be underground to the nearest utility pole.
10. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Water District, and Central Fire Protection District.
11. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
12. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
13. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
14. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
15. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
16. Prior to a project final, all cracked or broken driveway approaches or street edge shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches shall meet current Accessibility Standards.
17. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
18. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
19. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.

20. Upon receipt of certificate of occupancy, garbage and recycling containers shall be shielded and placed out of public view on non-collection days.

FINDINGS

A. The application, subject to the conditions imposed, secures 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 proposed addition complies with the Zoning Ordinance and the project secures the purpose 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 application for the addition to the existing residence. The updated design will maintain the character and integrity of the neighborhood.

C. This project is categorically exempt under Section 15301 of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.

Section 15301(e) of the CEQA Guidelines exempts the construction of additions that are less than 50 percent of the existing structure. This project involves an addition to an existing, two-story single-family residence that is less than 50% of the square footage of the existing home. No adverse environmental impacts were discovered during review of the proposed project.

COASTAL FINDINGS

D. Findings Required. A coastal permit shall be granted only upon adoption of specific written factual findings supporting the conclusion that the proposed development conforms to the certified Local Coastal Program, including, but not limited to:

- The proposed development conforms to the City's certified Local Coastal Plan (LCP). The specific, factual findings, as per CMC Section 17.46.090 (D) are as follows:

(D) (2) Require Project-Specific Findings. In determining any requirement for public access, including the type of access and character of use, the city shall evaluate and document in written findings the factors identified in subsections (D) (2) (a) through (e), to the extent applicable. The findings shall explain the basis for the conclusions and decisions of the city and shall be supported by substantial evidence in the record. If an access dedication is required as a condition of approval, the findings shall explain how the adverse effects which have been identified will be alleviated or mitigated by the dedication. As used in this section, "cumulative effect" means the effect of the individual project in combination with the effects of past projects, other current projects, and probable future projects, including development allowed under applicable planning and zoning.

(D) (2) (a) Project Effects on Demand for Access and Recreation. Identification of existing and open public access and coastal recreation areas and facilities in the regional and local vicinity of the development. Analysis of the project's effects upon

existing public access and recreation opportunities. Analysis of the project's cumulative effects upon the use and capacity of the identified access and recreation opportunities, including public tidelands and beach resources, and upon the capacity of major coastal roads from subdivision, intensification or cumulative build-out. Projection for the anticipated demand and need for increased coastal access and recreation opportunities for the public. Analysis of the contribution of the project's cumulative effects to any such projected increase. Description of the physical characteristics of the site and its proximity to the sea, tideland viewing points, upland recreation areas, and trail linkages to tidelands or recreation areas. Analysis of the importance and potential of the site, because of its location or other characteristics, for creating, preserving or enhancing public access to tidelands or public recreation opportunities;

- The home is not located in an area with coastal access. The home will not have an effect on public trails or beach access.

(D) (2) (b) Shoreline Processes. Description of the existing shoreline conditions, including beach profile, accessibility and usability of the beach, history of erosion or accretion, character and sources of sand, wave and sand movement, presence of shoreline protective structures, location of the line of mean high tide during the season when the beach is at its narrowest (generally during the late winter) and the proximity of that line to existing structures, and any other factors which substantially characterize or affect the shoreline processes at the site. Identification of anticipated changes to shoreline processes at the site. Identification of anticipated changes to shoreline processes and beach profile unrelated to the proposed development. Description and analysis of any reasonably likely changes, attributable to the primary and cumulative effects of the project, to: wave and sand movement affecting beaches in the vicinity of the project; the profile of the beach; the character, extent, accessibility and usability of the beach; and any other factors which characterize or affect beaches in the vicinity. Analysis of the effect of any identified changes of the project, alone or in combination with other anticipated changes, will have upon the ability of the public to use public tidelands and shoreline recreation areas;

- No portion of the project is located along the shoreline or beach.

(D) (2) (c) Historic Public Use. Evidence of use of the site by members of the general public for a continuous five-year period (such use may be seasonal). Evidence of the type and character of use made by the public (vertical, lateral, blufftop, etc., and for passive and/or active recreational use, etc.). Identification of any agency (or person) who has maintained and/or improved the area subject to historic public use and the nature of the maintenance performed and improvements made. Identification of the record owner of the area historically used by the public and any attempts by the owner to prohibit public use of the area, including the success or failure of those attempts. Description of the potential for adverse impact on public use of the area from the proposed development (including but not limited to, creation of physical or psychological impediments to public use);

- There is not history of public use on the subject lot.

(D) (2) (d) Physical Obstructions. Description of any physical aspects of the development which block or impede the ability of the public to get to or along the tidelands, public recreation areas, or other public coastal resources or to see the shoreline;

- The proposed project is located on private property. The project will not block or impede the ability of the public to get to or along the tidelands, public recreation areas, or views to the shoreline.

(D) (2) (e) Other Adverse Impacts on Access and Recreation. Description of the development's physical proximity and relationship to the shoreline and any public recreation area. Analysis of the extent of which buildings, walls, signs, streets or other aspects of the development, individually or cumulatively, are likely to diminish the public's use of tidelands or lands committed to public recreation. Description of any alteration of the aesthetic, visual or recreational value of public use areas, and of any diminution of the quality or amount of recreational use of public lands which may be attributable to the individual or cumulative effects of the development.

- The proposed project is located on private property that will not impact access and recreation. The project does not diminish the public's use of tidelands or lands committed to public recreation nor alter the aesthetic, visual or recreational value of public use areas.

(D) (3) (a – c) Required Findings for Public Access Exceptions. Any determination that one of the exceptions of subsection (F) (2) applies to a development shall be supported by written findings of fact, analysis and conclusions which address all of the following:

a. The type of access potentially applicable to the site involved (vertical, lateral, bluff top, etc.) and its location in relation to the fragile coastal resource to be protected, the agricultural use, the public safety concern, or the military facility which is the basis for the exception, as applicable;

b. Unavailability of any mitigating measures to manage the type, character, intensity, hours, season or location of such use so that agricultural resources, fragile coastal resources, public safety, or military security, as applicable, are protected;

c. Ability of the public, through another reasonable means, to reach the same area of public tidelands as would be made accessible by an access way on the subject land.

- The project is not requesting a Public Access Exception, therefore these findings do not apply.

(D) (4) (a – f) Findings for Management Plan Conditions. Written findings in support of a condition requiring a management plan for regulating the time and manner or character of public access use must address the following factors, as applicable:

a. Identification and protection of specific habitat values including the reasons supporting the conclusions that such values must be protected by limiting the hours, seasons, or character of public use;

- The project is located on a residential lot.

b. Topographic constraints of the development site;

- The project is located on a flat lot.

c. Recreational needs of the public;

- The project does not impact recreational needs of the public.

d. Rights of privacy of the landowner which could not be mitigated by setting the project back from the access way or otherwise conditioning the development;**e. The requirements of the possible accepting agency, if an offer of dedication is the mechanism for securing public access;****f. Feasibility of adequate setbacks, fencing, landscaping, and other methods as part of a management plan to regulate public use.****(D) (5) Project complies with public access requirements, including submittal of appropriate legal documents to ensure the right of public access whenever, and as, required by the certified land use plan and Section 17.46.010 (coastal access requirements);**

- No legal documents to ensure public access rights are required for the proposed project.

(D) (6) Project complies with visitor-serving and recreational use policies;**SEC. 30222**

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

- The project involves a single family home on a residential lot of record.

SEC. 30223

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

- The project involves a single family home on a residential lot of record.

c) Visitor-serving facilities that cannot be feasibly located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

- The project involves a single family home on a residential lot of record.

(D) (7) Project complies with applicable standards and requirements for provision of public and private parking, pedestrian access, alternate means of transportation and/or traffic improvements;

- The project involves the construction of a single family home. The project complies with applicable standards and requirements for provision for parking, pedestrian access, and alternate means of transportation and/or traffic improvements.

(D) (8) Review of project design, site plan, signing, lighting, landscaping, etc., by the city's architectural and site review committee, and compliance with adopted design guidelines and standards, and review committee recommendations;

- The project complies with the design guidelines and standards established by the Municipal Code.

(D) (9) Project complies with LCP policies regarding protection of public landmarks, protection or provision of public views; and shall not block or detract from public views to and along Capitola's shoreline;

- The project will not negatively impact public landmarks and/or public views. The project will not block or detract from public views to and along Capitola's shoreline.

(D) (10) Demonstrated availability and adequacy of water and sewer services;

- The project is located on a legal lot of record with available water and sewer services.

(D) (11) Provisions of minimum water flow rates and fire response times;

- The project is located within close proximity of the Capitola fire department. Water is available at the location.

(D) (12) Project complies with water and energy conservation standards;

- The project is for a single family home. The GHG emissions for the project are projected at less than significant impact. All water fixtures must comply with the low-flow standards of the Soquel Creek Water District.

(D) (13) Provision of park dedication, school impact, and other fees as may be required;

- The project will be required to pay appropriate fees prior to building permit issuance.

(D) (14) Project complies with coastal housing policies, and applicable ordinances including condominium conversion and mobile home ordinances;

- The project does not involve a condo conversion or mobile homes.

(D) (15) Project complies with natural resource, habitat, and archaeological protection policies;

- Conditions of approval have been included to ensure compliance with established policies.

(D) (16) Project complies with Monarch butterfly habitat protection policies;

- The project is outside of any identified sensitive habitats, specifically areas where Monarch Butterflies have been encountered, identified and documented.

(D) (17) Project provides drainage and erosion and control measures to protect marine, stream, and wetland water quality from urban runoff and erosion;

- Conditions of approval have been included to ensure compliance with applicable erosion control measures.

(D) (18) Geologic/engineering reports have been prepared by qualified professional for projects in seismic areas, geologically unstable areas, or coastal bluffs, and project complies with hazard protection policies including provision of appropriate setbacks and mitigation measures;

- Conditions of approval have been included to ensure the project applicant shall comply with all applicable requirements of the most recent version of the California Building Standards Code.

(D) (19) All other geological, flood and fire hazards are accounted for and mitigated in the project design;

- Conditions of approval have been included to ensure the project complies with geological, flood, and fire hazards and are accounted for and will be mitigated in the project design.

(D) (20) Project complies with shoreline structure policies;

- The proposed project complies with shoreline structure policies.

(D) (21) The uses proposed are consistent with the permitted or conditional uses of the zoning district in which the project is located;

- This use is a principally permitted use consistent with the Single Family zoning district.

(D) (22) Conformance to requirements of all other city ordinances, zoning requirements, and project review procedures;

- The project conforms to the requirements of all city ordinances, zoning requirements and project development review and development procedures.

(D) (23) Project complies with the Capitola parking permit program as follows:

- The project site is not located within the area of the Capitola parking permit program; thus this requirement does not apply.

RESULT:	APPROVED [3 TO 0]
MOVER:	Linda Smith, Commissioner
SECONDER:	Susan Westman, Commissioner
AYES:	Smith, Newman, Westman
RECUSED:	Welch, Storey

B. 4810 Topaz Street #17-074 034-066-10

Design Permit to build a two-story single-family residence on a vacant property, located in the R-1 (Single-Family Residential) zoning district.

This project is in the Coastal Zone and requires a Coastal Development Permit which is not appealable to the California Coastal Commission.

Environmental Determination: Categorical Exemption

Property Owner: Kari Cosentino

Representative: John Craycroft, filed: 5/18/17

MOTION: Approve Design Permit and Coastal Development Permit with the following conditions and findings:

CONDITIONS OF APPROVAL

1. The project approval is for the construction of a new, two-story home at 4810 Topaz Street. The maximum Floor Area Ratio for the 3,200 square foot property is 57% (1,824 square feet). The total FAR of the project is 57% with a total of 1,822 square feet of floor area, compliant with the maximum FAR within the zone. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on September 7th, 2017, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans.
3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
4. At the time of submittal for building permit review, Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP) shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP).
5. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
6. Prior to issuance of building permit, a final landscape plan shall be submitted and approved by the Community Development Department. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of irrigation systems, if proposed. Native and/or drought tolerant species are recommended.

7. Prior to issuance of building permit, all Planning fees associated with permit #17-074 shall be paid in full.
8. Affordable Housing in-lieu fees are required for this project and shall be paid prior to issuance of building permit, in accordance with chapter 18.02 of the Capitola Municipal Code.
9. Prior to issuance of building permits, the building plans must show that the existing overhead utility lines will be underground to the nearest utility pole.
10. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Water District, and Central Fire Protection District.
11. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
12. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
13. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
14. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
15. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
16. Prior to a project final, all cracked or broken driveway approaches or street edge shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches shall meet current Accessibility Standards.
17. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.

18. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
19. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
20. Upon receipt of certificate of occupancy, garbage and recycling containers shall be shielded and placed out of public view on non-collection days.

FINDINGS

- A. **The application, subject to the conditions imposed, secures 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 proposed two-story residence complies with the Zoning Ordinance and the project secures the purpose 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 application for a new two-story residence. The new two-story residence will maintain the character and integrity of the neighborhood.
- C. **This project is categorically exempt under Section 15303 of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.**
Section 15303(a) of the CEQA Guidelines exempts the construction of one single-family residence in a residential zone. This project involves the construction of a new, two-story single-family residence on a vacant property in the R-1 (Single-Family Residential) Zoning District. No adverse environmental impacts were discovered during review of the proposed project.

COASTAL FINDINGS

D. Findings Required. A coastal permit shall be granted only upon adoption of specific written factual findings supporting the conclusion that the proposed development conforms to the certified Local Coastal Program, including, but not limited to:

- The proposed development conforms to the City's certified Local Coastal Plan (LCP). The specific, factual findings, as per CMC Section 17.46.090 (D) are as follows:

(D) (2) Require Project-Specific Findings. In determining any requirement for public access, including the type of access and character of use, the city shall evaluate and document in written findings the factors identified in subsections (D) (2) (a) through (e), to the extent applicable. The findings shall explain the basis for the conclusions and decisions of the city and shall be supported by substantial evidence in the

record. If an access dedication is required as a condition of approval, the findings shall explain how the adverse effects which have been identified will be alleviated or mitigated by the dedication. As used in this section, “cumulative effect” means the effect of the individual project in combination with the effects of past projects, other current projects, and probable future projects, including development allowed under applicable planning and zoning.

(D) (2) (a) Project Effects on Demand for Access and Recreation. Identification of existing and open public access and coastal recreation areas and facilities in the regional and local vicinity of the development. Analysis of the project’s effects upon existing public access and recreation opportunities. Analysis of the project’s cumulative effects upon the use and capacity of the identified access and recreation opportunities, including public tidelands and beach resources, and upon the capacity of major coastal roads from subdivision, intensification or cumulative build-out. Projection for the anticipated demand and need for increased coastal access and recreation opportunities for the public. Analysis of the contribution of the project’s cumulative effects to any such projected increase. Description of the physical characteristics of the site and its proximity to the sea, tideland viewing points, upland recreation areas, and trail linkages to tidelands or recreation areas. Analysis of the importance and potential of the site, because of its location or other characteristics, for creating, preserving or enhancing public access to tidelands or public recreation opportunities;

- The proposed project is located at 4810 Topaz Street. The home is not located in an area with coastal access. The home will not have an effect on public trails or beach access.

(D) (2) (b) Shoreline Processes. Description of the existing shoreline conditions, including beach profile, accessibility and usability of the beach, history of erosion or accretion, character and sources of sand, wave and sand movement, presence of shoreline protective structures, location of the line of mean high tide during the season when the beach is at its narrowest (generally during the late winter) and the proximity of that line to existing structures, and any other factors which substantially characterize or affect the shoreline processes at the site. Identification of anticipated changes to shoreline processes at the site. Identification of anticipated changes to shoreline processes and beach profile unrelated to the proposed development. Description and analysis of any reasonably likely changes, attributable to the primary and cumulative effects of the project, to: wave and sand movement affecting beaches in the vicinity of the project; the profile of the beach; the character, extent, accessibility and usability of the beach; and any other factors which characterize or affect beaches in the vicinity. Analysis of the effect of any identified changes of the project, alone or in combination with other anticipated changes, will have upon the ability of the public to use public tidelands and shoreline recreation areas;

- The proposed project is located along Topaz Street. No portion of the project is located along the shoreline or beach.

(D) (2) (c) Historic Public Use. Evidence of use of the site by members of the general public for a continuous five-year period (such use may be seasonal). Evidence of the type and character of use made by the public (vertical, lateral, blufftop, etc., and for passive and/or active recreational use, etc.). Identification of any agency (or person) who has maintained and/or improved the area subject to historic public use and the nature of the maintenance performed and improvements made. Identification of the

record owner of the area historically used by the public and any attempts by the owner to prohibit public use of the area, including the success or failure of those attempts. Description of the potential for adverse impact on public use of the area from the proposed development (including but not limited to, creation of physical or psychological impediments to public use);

- There is not history of public use on the subject lot.

(D) (2) (d) Physical Obstructions. Description of any physical aspects of the development which block or impede the ability of the public to get to or along the tidelands, public recreation areas, or other public coastal resources or to see the shoreline;

- The proposed project is located on private property. The project will not block or impede the ability of the public to get to or along the tidelands, public recreation areas, or views to the shoreline.

(D) (2) (e) Other Adverse Impacts on Access and Recreation. Description of the development's physical proximity and relationship to the shoreline and any public recreation area. Analysis of the extent of which buildings, walls, signs, streets or other aspects of the development, individually or cumulatively, are likely to diminish the public's use of tidelands or lands committed to public recreation. Description of any alteration of the aesthetic, visual or recreational value of public use areas, and of any diminution of the quality or amount of recreational use of public lands which may be attributable to the individual or cumulative effects of the development.

- The proposed project is located on private property that will not impact access and recreation. The project does not diminish the public's use of tidelands or lands committed to public recreation nor alter the aesthetic, visual or recreational value of public use areas.

(D) (3) (a – c) Required Findings for Public Access Exceptions. Any determination that one of the exceptions of subsection (F) (2) applies to a development shall be supported by written findings of fact, analysis and conclusions which address all of the following:

a. The type of access potentially applicable to the site involved (vertical, lateral, bluff top, etc.) and its location in relation to the fragile coastal resource to be protected, the agricultural use, the public safety concern, or the military facility which is the basis for the exception, as applicable;

b. Unavailability of any mitigating measures to manage the type, character, intensity, hours, season or location of such use so that agricultural resources, fragile coastal resources, public safety, or military security, as applicable, are protected;

c. Ability of the public, through another reasonable means, to reach the same area of public tidelands as would be made accessible by an access way on the subject land.

- The project is not requesting a Public Access Exception, therefore these findings do not apply.

(D) (4) (a – f) Findings for Management Plan Conditions. Written findings in support of

a condition requiring a management plan for regulating the time and manner or character of public access use must address the following factors, as applicable:

a. Identification and protection of specific habitat values including the reasons supporting the conclusions that such values must be protected by limiting the hours, seasons, or character of public use; The project is located on a residential lot.

b. Topographic constraints of the development site; The project is located on a flat lot.

c. Recreational needs of the public; The project does not impact recreational needs of the public.

d. Rights of privacy of the landowner which could not be mitigated by setting the project back from the access way or otherwise conditioning the development;

e. The requirements of the possible accepting agency, if an offer of dedication is the mechanism for securing public access;

f. Feasibility of adequate setbacks, fencing, landscaping, and other methods as part of a management plan to regulate public use.

(D) (5) Project complies with public access requirements, including submittal of appropriate legal documents to ensure the right of public access whenever, and as, required by the certified land use plan and Section 17.46.010 (coastal access requirements);

- No legal documents to ensure public access rights are required for the proposed project.

(D) (6) Project complies with visitor-serving and recreational use policies;

SEC. 30222

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

- The project involves a single family home on a residential lot of record.

SEC. 30223

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

- The project involves a single family home on a residential lot of record.

c) Visitor-serving facilities that cannot be feasibly located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

- The project involves a single family home on a residential lot of record.

(D) (7) Project complies with applicable standards and requirements for provision of public and private parking, pedestrian access, alternate means of transportation

and/or traffic improvements;

- The project involves the construction of a single family home. The project complies with applicable standards and requirements for provision for parking, pedestrian access, and alternate means of transportation and/or traffic improvements.

(D) (8) Review of project design, site plan, signing, lighting, landscaping, etc., by the city's architectural and site review committee, and compliance with adopted design guidelines and standards, and review committee recommendations;

- The project complies with the design guidelines and standards established by the Municipal Code.

(D) (9) Project complies with LCP policies regarding protection of public landmarks, protection or provision of public views; and shall not block or detract from public views to and along Capitola's shoreline;

- The project will not negatively impact public landmarks and/or public views. The project will not block or detract from public views to and along Capitola's shoreline.

(D) (10) Demonstrated availability and adequacy of water and sewer services;

- The project is located on a legal lot of record with available water and sewer services.

(D) (11) Provisions of minimum water flow rates and fire response times;

- The project is located within close proximity of the Capitola fire department. Water is available at the location.

(D) (12) Project complies with water and energy conservation standards;

- The project is for a single family home. The GHG emissions for the project are projected at less than significant impact. All water fixtures must comply with the low-flow standards of the Soquel Creek Water District.

(D) (13) Provision of park dedication, school impact, and other fees as may be required;

- The project will be required to pay appropriate fees prior to building permit issuance.

(D) (14) Project complies with coastal housing policies, and applicable ordinances including condominium conversion and mobile home ordinances;

- The project does not involve a condo conversion or mobile homes.

(D) (15) Project complies with natural resource, habitat, and archaeological protection policies;

- Conditions of approval have been included to ensure compliance with established policies.

(D) (16) Project complies with Monarch butterfly habitat protection policies;

- The project is outside of any identified sensitive habitats, specifically areas where Monarch Butterflies have been encountered, identified and documented.

(D) (17) Project provides drainage and erosion and control measures to protect marine, stream, and wetland water quality from urban runoff and erosion;

- Conditions of approval have been included to ensure compliance with applicable erosion control measures.

(D) (18) Geologic/engineering reports have been prepared by qualified professional for projects in seismic areas, geologically unstable areas, or coastal bluffs, and project complies with hazard protection policies including provision of appropriate setbacks and mitigation measures;

- Conditions of approval have been included to ensure the project applicant shall comply with all applicable requirements of the most recent version of the California Building Standards Code.

(D) (19) All other geological, flood and fire hazards are accounted for and mitigated in the project design;

- Conditions of approval have been included to ensure the project complies with geological, flood, and fire hazards and are accounted for and will be mitigated in the project design.

(D) (20) Project complies with shoreline structure policies;

- The proposed project complies with shoreline structure policies.

(D) (21) The uses proposed are consistent with the permitted or conditional uses of the zoning district in which the project is located;

- This use is a principally permitted use consistent with the Single Family zoning district.

(D) (22) Conformance to requirements of all other city ordinances, zoning requirements, and project review procedures;

- The project conforms to the requirements of all city ordinances, zoning requirements and project development review and development procedures.

(D) (23) Project complies with the Capitola parking permit program as follows:

- The project site is not located within the area of the Capitola parking permit program; thus this requirement does not apply.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Linda Smith, Commissioner
SECONDER:	TJ Welch, Commissioner
AYES:	Smith, Newman, Welch, Westman, Storey

C. Capitola Mall Redevelopment - Request to Continue to a date uncertain.

MOTION: Continue to a date uncertain

RESULT:	CONTINUED [UNANIMOUS]
MOVER:	Linda Smith, Commissioner
SECONDER:	TJ Welch, Commissioner
AYES:	Smith, Newman, Welch, Westman, Storey

5. PUBLIC HEARINGS

A. 210 Capitola Avenue #17-0280 APN: 035-183-20

Conditional Use Permit to convert a retail space into a take-out coffee and bakery, located in the CV (Central Village) zoning district.

This project is in the Coastal Zone but does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption

Property Owner: Tuan Truong – Halejoi LLC

Representative: Fuse Architect, filed: 7/31/17

Chairperson Newman recused himself due to location and proximity and left the dais. Commissioner Westman continued the meeting. Senior Planner Herlihy gave the presentation.

Business owner Megan Campbell responded that she is currently doing custom cakes and would not be doing curbside delivery in reply to Commissioner Storey's question about the nature of the business.

MOTION: Approve Conditional Use Permit with the following conditions and findings:

CONDITIONS

1. The project approval consists of a Conditional Use Permit for a take-out food establishment at 210 Capitola Avenue. The take-out establishment will sell coffee and baked goods. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on September 7, 2017, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans

3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
4. There is not intensification of use in converting a retail establishment to a take-out establishment limited to six seats. A maximum of six seats is allowed within the take-out food establishment.
5. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
6. Prior to issuance of building permit, all Planning fees associated with permit # 17-0280 shall be paid in full.
7. The application did not include a submittal for a new exterior sign. Prior to installation of a sign on the exterior of the structure, a sign permit application must be submitted to and approved by the City of Capitola, as required by the municipal code.
8. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, the appropriate Water District, and Central Fire Protection District.
9. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
10. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
11. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
12. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
13. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
14. In any case where the conditions to the granting of a permit have not been or are not complied with, the community development director shall give notice thereof to the

permittee, which notice shall specify a reasonable period of time within which to perform said conditions and correct said violation. If the permittee fails to comply with said conditions, or to correct said violation, within the time allowed, notice shall be given to the permittee of intention to revoke such permit at a hearing to be held not less than thirty calendar days after the date of such notice. Following such hearing and, if good cause exists therefor, the Planning Commission may revoke the permit.

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 and the Planning Commission have all reviewed the project. No exterior changes are proposed that would influence the development standards of the CN (Neighborhood Commercial) Zoning District. The conversion of a retail commercial use to a take-out food establishment requires approval of a conditional use permit. 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 Department Staff and the Planning Commission have all reviewed the project. A take-out food establishment will maintain the character and integrity of the CV (Central Village) zoning district. The proposed use is the same intensity as the existing use. Conditions of approval have been included to ensure that the project maintains the character and integrity of the area.

- C. **This project is categorically exempt under Section 15301 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 of the CEQA Guidelines exempts a conversion of a use within an existing structure. No adverse environmental impacts were discovered during review of the proposed project

RESULT:	APPROVED [4 TO 0]
MOVER:	Sam Storey, Commissioner
SECONDER:	TJ Welch, Commissioner
AYES:	Smith, Welch, Westman, Storey
RECUSED:	Newman

- B. **723 El Salto Drive #15-185 APN: 036-143-35**

Conditional Use Permit and Design Permit for an addition to an existing four-plex and a new detached garage and an extension of previously approved minor land division. The project is located in the VS/R-1 (Visitor Serving, Single-Family Residential) Zoning District. This project is in the Coastal Zone and requires a Coastal Development Permit, which is appealable to the California Coastal Commission.
 Environmental Determination: Categorical Exemption

Minutes Acceptance: Minutes of Sep 7, 2017 7:00 PM (Draft Minutes September 7, 2017 PC Meeting)

Property Owner: Doug Dodds
Representative: Cove Britton , filed 11/12/15

Commissioner Storey recused himself due to the project location in his zone of conflict; he left the dais and excused himself for the evening.

Applicant representative Cove Britton thanked staff for their assistance with the project.

Commissioner Welch thinks it will be a great addition to the community with plenty of room for the driveway. Commissioner Smith agreed but would like to condition that some portion of the driveway should be pervious. Commissioner Westman likes the project and thinks it would be a great improvement and sees no reason to reduce the 20 feet.

Commissioner Westman suggested that the project be conditioned for the applicant to work with the Public Works director to determine how much would be appropriate to have permeable and that they are allowed to keep the two parking spaces at twenty (20) feet.

MOTION: Extend the previously approved minor land division, and approve a Conditional Use Permit, Design Permit, and Coastal Development Permit with the following conditions and findings:

CONDITIONS

1. The project approval consists of a conditional use permit and design permit for the construction of a 1,113 square foot addition to the existing fourplex and a new 1,138 square foot garage. The approval also includes a two year extension of the previous minor land division and condominium conversion. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on September 7, 2017, except as modified through conditions imposed by the Planning Commission during the hearing.
2. ~~The parking area fronting El Salto Drive shall be reduced from 20 feet wide to a maximum width of 18 feet.~~ At time of submittal for building permit review, additional permeable surface shall be included within the driveway the amount of which is at the discretion of the Public Works Director.
3. Existing overhead utility lines shall be placed underground to the nearest utility pole.
4. During grading of the site and installation of driveway, a certified arborist shall be onsite monitoring work to ensure mitigation to protect the tree roots.
5. The recommendations within the Zinn Geology 2016 geologist report shall be adhered to through the permitting and construction process.
6. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans
7. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.

8. At time of submittal for building permit review, Public Works Standard Detail SMP STRM shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.
9. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
10. Prior to issuance of building permit, a final landscape plan shall be submitted and approved by the Community Development Department. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of irrigation systems.
11. Prior to issuance of building permit, all Planning fees associated with permit #15-185 shall be paid in full.
12. Prior to issuance of building permit, Affordable housing in-lieu fees shall be paid as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance.
13. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Creek Water District, and Central Fire Protection District.
14. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
15. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
16. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
17. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
18. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
19. Prior to a project final, all cracked or broken driveway approaches, curb, gutter, or sidewalk shall be replaced per the Public Works Standard Details and to the satisfaction

of the Public Works Department. All replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.

20. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
21. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
22. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
23. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.

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 and the Planning Commission have reviewed the project. The minor land division, together with the provisions for its design and improvement, is consistent with 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 application for an exterior remodel and bedroom addition to an existing two-story fourplex. The proposed remodel and addition, with the conditions imposed, will maintain the character and integrity of the Central Village.

C. This project is categorically exempt under Section 15301 of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.

Section 15301(e) of the CEQA Guidelines exempts additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the existing floor area. This project involves the addition of 304 square feet to an existing two-story fourplex in the CV (Central Village) zoning district. No adverse environmental impacts were discovered during review of the proposed project.

D. A substantial change of circumstances has not occurred since the original Planning Commission approval of application 10-082 on January 20, 2011 or the two year

extensions granted in December 2015 and January 2017, would not be detrimental to the purpose of the certified local coastal program and zoning ordinance.

The Planning Commission finds that neither the physical characteristics of the lot nor the zoning ordinance has changed since approval of the permit on January 20, 2011. Therefore, a forth extension of said permit is appropriate.

COASTAL FINDINGS

D. Findings Required. A coastal permit shall be granted only upon adoption of specific written factual findings supporting the conclusion that the proposed development conforms to the certified Local Coastal Program, including, but not limited to:

- The proposed garage, addition, and minor land division conforms to the City's certified Local Coastal Plan (LCP). The specific, factual findings, as per CMC Section 17.46.090 (D) are as follows:

(D) (2) Require Project-Specific Findings. In determining any requirement for public access, including the type of access and character of use, the city shall evaluate and document in written findings the factors identified in subsections (D) (2) (a) through (e), to the extent applicable. The findings shall explain the basis for the conclusions and decisions of the city and shall be supported by substantial evidence in the record. If an access dedication is required as a condition of approval, the findings shall explain how the adverse effects which have been identified will be alleviated or mitigated by the dedication. As used in this section, "cumulative effect" means the effect of the individual project in combination with the effects of past projects, other current projects, and probable future projects, including development allowed under applicable planning and zoning.

(D) (2) (a) Project Effects on Demand for Access and Recreation. Identification of existing and open public access and coastal recreation areas and facilities in the regional and local vicinity of the development. Analysis of the project's effects upon existing public access and recreation opportunities. Analysis of the project's cumulative effects upon the use and capacity of the identified access and recreation opportunities, including public tidelands and beach resources, and upon the capacity of major coastal roads from subdivision, intensification or cumulative build-out. Projection for the anticipated demand and need for increased coastal access and recreation opportunities for the public. Analysis of the contribution of the project's cumulative effects to any such projected increase. Description of the physical characteristics of the site and its proximity to the sea, tideland viewing points, upland recreation areas, and trail linkages to tidelands or recreation areas. Analysis of the importance and potential of the site, because of its location or other characteristics, for creating, preserving or enhancing public access to tidelands or public recreation opportunities;

- The project will not directly affect public access and coastal recreation areas as it involves a new garage, small addition, and a the minor land division of a privately owned residential property with no intensification or build out and no public trail or beach access.

(D) (2) (b) Shoreline Processes. Description of the existing shoreline conditions, including beach profile, accessibility and usability of the beach, history of erosion

or accretion, character and sources of sand, wave and sand movement, presence of shoreline protective structures, location of the line of mean high tide during the season when the beach is at its narrowest (generally during the late winter) and the proximity of that line to existing structures, and any other factors which substantially characterize or affect the shoreline processes at the site. Identification of anticipated changes to shoreline processes at the site. Identification of anticipated changes to shoreline processes and beach profile unrelated to the proposed development. Description and analysis of any reasonably likely changes, attributable to the primary and cumulative effects of the project, to: wave and sand movement affecting beaches in the vicinity of the project; the profile of the beach; the character, extent, accessibility and usability of the beach; and any other factors which characterize or affect beaches in the vicinity. Analysis of the effect of any identified changes of the project, alone or in combination with other anticipated changes, will have upon the ability of the public to use public tidelands and shoreline recreation areas;

- The project is located atop a bluff along the shoreline, with no beach access. The approval will not affect any portions of the lot adjacent to the bluff, nor impact the character of the beach below.

(D) (2) (c) Historic Public Use. Evidence of use of the site by members of the general public for a continuous five-year period (such use may be seasonal). Evidence of the type and character of use made by the public (vertical, lateral, blufftop, etc., and for passive and/or active recreational use, etc.). Identification of any agency (or person) who has maintained and/or improved the area subject to historic public use and the nature of the maintenance performed and improvements made. Identification of the record owner of the area historically used by the public and any attempts by the owner to prohibit public use of the area, including the success or failure of those attempts. Description of the potential for adverse impact on public use of the area from the proposed development (including but not limited to, creation of physical or psychological impediments to public use);

- The privately owned site has historically been used as private residences. There is no evidence of use of the site by members of the public for coastal access.

(D) (2) (d) Physical Obstructions. Description of any physical aspects of the development which block or impede the ability of the public to get to or along the tidelands, public recreation areas, or other public coastal resources or to see the shoreline;

- The project is located atop a bluff along the shoreline. The tall bluff does not allow for beach access. Beach access to the public will not be affected by the project, nor will the development block or impede the ability of the public to get to or along the tidelands, public recreation areas, or views to the shoreline.

(D) (2) (e) Other Adverse Impacts on Access and Recreation. Description of the development's physical proximity and relationship to the shoreline and any public recreation area. Analysis of the extent of which buildings, walls, signs, streets or other aspects of the development, individually or cumulatively, are likely to diminish the public's use of tidelands or lands committed to public recreation. Description of any alteration of the aesthetic, visual or recreational value of public

use areas, and of any diminution of the quality or amount of recreational use of public lands which may be attributable to the individual or cumulative effects of the development.

- The site is located atop a bluff along the shoreline, but not in the vicinity of a public recreation area. The minor land division does not diminish the public's use of tidelands or lands committed to public recreation nor alter the aesthetic, visual or recreational value of public use areas.

(D) (3) (a – c) Required Findings for Public Access Exceptions. Any determination that one of the exceptions of subsection (F) (2) applies to a development shall be supported by written findings of fact, analysis and conclusions which address all of the following:

a. The type of access potentially applicable to the site involved (vertical, lateral, bluff top, etc.) and its location in relation to the fragile coastal resource to be protected, the agricultural use, the public safety concern, or the military facility which is the basis for the exception, as applicable;

b. Unavailability of any mitigating measures to manage the type, character, intensity, hours, season or location of such use so that agricultural resources, fragile coastal resources, public safety, or military security, as applicable, are protected;

c. Ability of the public, through another reasonable means, to reach the same area of public tidelands as would be made accessible by an access way on the subject land.

- The project is not requesting a Public Access Exception, therefore these findings do not apply

(D) (4) (a – f) Findings for Management Plan Conditions. Written findings in support of a condition requiring a management plan for regulating the time and manner or character of public access use must address the following factors, as applicable:

a. Identification and protection of specific habitat values including the reasons supporting the conclusions that such values must be protected by limiting the hours, seasons, or character of public use;

b. Topographic constraints of the development site;

c. Recreational needs of the public;

d. Rights of privacy of the landowner which could not be mitigated by setting the project back from the access way or otherwise conditioning the development;

e. The requirements of the possible accepting agency, if an offer of dedication is the mechanism for securing public access;

f. Feasibility of adequate setbacks, fencing, landscaping, and other methods as part of a management plan to regulate public use.

- No Management Plan is required; therefore these findings do not apply

(D) (5) Project complies with public access requirements, including submittal of appropriate legal documents to ensure the right of public access whenever, and as, required by the certified land use plan and Section 17.46.010 (coastal access requirements);

- No legal documents to ensure public access rights are required for the proposed project

(D) (6) Project complies with visitor-serving and recreational use policies;

SEC. 30222

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

- No new use or change in use is proposed.

SEC. 30223

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

- No new use or change in use is proposed.

SEC. 30250

c) Visitor-serving facilities that cannot be feasibly located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

- No new use or change in use is proposed.

(D) (7) Project complies with applicable standards and requirements for provision of public and private parking, pedestrian access, alternate means of transportation and/or traffic improvements;

- The project meets zoning standards for required parking and pedestrian access. There are no requirements for alternate means of transportation or traffic improvements as part of the minor land division.

(D) (8) Review of project design, site plan, signing, lighting, landscaping, etc., by the city's architectural and site review committee, and compliance with adopted design guidelines and standards, and review committee recommendations;

- The project was reviewed by the Architectural and Site Review Committee and complies with the design guidelines and standards for the VS/R-1 zoning district, as well as the recommendations provided by the Committee.

(D) (9) Project complies with LCP policies regarding protection of public landmarks, protection or provision of public views; and shall not block or detract from public views to and along Capitola's shoreline;

- No public landmarks or public views to and along the shoreline are affected by the project.

(D) (10) Demonstrated availability and adequacy of water and sewer services;

- No additional units are proposed and therefore does not require new water or sewer services.

(D) (11) Provisions of minimum water flow rates and fire response times;

- The project does not include any additional units, and therefore does not require new flow rates or fire response times.

(D) (12) Project complies with water and energy conservation standards;

- The project will be required to comply with water and energy conservation standards for the proposed covered parking structure as part of the building plan check process.

(D) (13) Provision of park dedication, school impact, and other fees as may be required;

- The project will be required to pay appropriate fees prior to building permit issuance.

(D) (14) Project complies with coastal housing policies, and applicable ordinances including condominium conversion and mobile home ordinances;

- The project complies with the coastal housing policies and condominium conversion ordinance. The four unit apartments are converted to condos within the application as part of the minor land division.

(D) (15) Project complies with natural resource, habitat, and archaeological protection policies;

- The project does not impact natural resources, habitat, or archaeological resources.

(D) (16) Project complies with Monarch butterfly habitat protection policies;

- The project is outside of any identified sensitive habitats, specifically areas where Monarch Butterflies have been encountered, identified and documented.

(D) (17) Project provides drainage and erosion and control measures to protect marine, stream, and wetland water quality from urban runoff and erosion;

- The project will comply with all applicable erosion control measures.

(D) (18) Geologic/engineering reports have been prepared by qualified professional for projects in seismic areas, geologically unstable areas, or coastal bluffs, and project complies with hazard protection policies including provision of appropriate setbacks and mitigation measures;

- A geological/engineering report has been prepared by a professional for the project and complies with the hazard protection policies including provisions of appropriate setbacks and mitigation measure. The mitigations suggested within the geological report shall be a required as a condition of approval.

(D) (19) All other geological, flood and fire hazards are accounted for and mitigated in the project design;

- The project is not located within a geologically unstable area nor flood plain, and fire hazard are accounted for and will be mitigated in the project design.

(D) (20) Project complies with shoreline structure policies;

- The project complies with shoreline structure policies.

(D) (21) The uses proposed are consistent with the permitted or conditional uses of the zoning district in which the project is located;

- The residential uses that exist are consistent with the permitted or conditional uses in the VS/R-1 zoning district.

(D) (22) Conformance to requirements of all other city ordinances, zoning requirements, and project review procedures;

- The project conforms to the requirements of all city ordinances, zoning requirements and project development review and development procedures.

(D) (23) Project complies with the Capitola parking permit program as follows:

- The project site is not located within the area of the Capitola parking permit program.

RESULT:	APPROVED AS AMENDED [4 TO 0]
MOVER:	Susan Westman, Commissioner
SECONDER:	TJ Welch, Commissioner
AYES:	Smith, Newman, Welch, Westman
RECUSED:	Storey

6. DIRECTOR'S REPORT – NONE

7. COMMISSION COMMUNICATIONS – NONE

8. ADJOURNMENT

Adjourned to next regular meeting on October 5, 2017

Jacqueline Aluffi, Clerk to the Commission



STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: OCTOBER 5, 2017
 SUBJECT: **4530 Garnet Street #17-0267 APN: 034-034-02**

Design Permit application for a new two-story, single-family residence located in the R-1 (Single-Family Residential) zoning district.

This project is in the Coastal Zone but does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption

Property Owner: Clark Cochran

Representative: Dennis Norton, filed: 8/15/16

APPLICANT PROPOSAL

The applicant is proposing to demolish the existing home at 4530 Garnet Street and build a new 1,812-square-foot, single-family home on the property. The property is zoned R-1 (Single-Family Residential).

BACKGROUND

On May 4, 2017, the Planning Commission approved an addition to the existing single-family residence on the site. The applicant has decided not to move forward with the addition, and is requesting approval of a design permit for a new single-family home. The applicant plans to demolish the existing structure and construct a new single-family home with garage.

The Architectural and Site Review Committee reviewed the application on September 13th, 2017, and provided the applicant with the following direction:

Public Works Representative, Danielle Uharriet: directed the applicant that standard stormwater conditions will apply.

Building Inspector, Nelson Membreno: informed that applicant that the new home will have to have sprinklers.

Local Architect, Frank Phanton: liked the design and the placement of the second story toward the street.

Landscape Architect, position vacant:

City Planner, Katie Herlihy: Requested a landscape plan and that the washer/dryer be reoriented outside the required 10' x 20' interior parking space in the garage.

Following the Arch and Site meeting, the applicant submitted a landscape plan and informed staff that the washer and dryer within the garage will be moved under the staircase in the home. A condition of approval has been added to ensure the washer and dryer are located outside of the required covered onsite parking space.

DISCUSSION

The subject property at 4530 Garnet Street consists of a single-family residence and a detached accessory structure in the rear yard. The applicant is proposing to demolish the existing structures and build a new two-story, single-family home with an attached single car garage. The existing home is not included on the 2005 list of historic structures. The property is located in the Jewel Box which is a neighborhood made up primarily of single-family homes, accessory dwelling units, a park, and a school.

Zoning Summary

The proposed single-family home complies with all the development standards of the R-1 Zoning District, as outlined in the following table:

R-1 (Single Family Residential) Zoning District

Development Standards			
Building Height	R-1 Regulation		Proposed
	25 ft.		24 ft. 1 in.
Floor Area Ratio (FAR)			
Lot Size	3,200 sq. ft.		
Maximum Floor Area Ratio	57% (Max 1,824 sq. ft.)		
First Floor – Living area	940 sq. ft.		
First Story – Garage	303 sq. ft.		
Second Floor – Living area	569 sq. ft.		
Second Story – Deck	96 sq. ft.		
TOTAL FAR	1,812 sq. ft.		
Yards (setbacks are measured from the edge of the public right-of-way)			
<u>Primary Structure</u>	R-1 Regulation		Proposed Addition to Main Residence
Front Yard	15 ft. 20 ft. garage		15 ft. from right-of-way 20 ft. garage
Side Yard	10% lot width	Lot width 40 ft. = 4 ft. min.	4 ft.
Rear Yard	20% lot depth	Lot depth 80 ft. = 16 ft. min	18 ft.
Encroachments	Arbor encroaches into the front and rear yard.		
Parking	Required		Proposed
Residential (from <u>1,501</u> sq. ft. to <u>2,000</u> sq. ft.)	2 spaces total 1 covered 1 uncovered		2 spaces total 1 covered 1 uncovered
Underground Utilities: required with 25% increase in area	Yes, required. (Condition of Approval #8)		

Design Permit

The applicant is proposing a two-story, single family home with attached garage. The exterior siding is proposed as board and batten with complimentary decorative features including a dutch door, wood arbor over the entryway, and carriage style garage doors. A standing seam metal roof is proposed. On the rear of the home, large cantina doors on the first story will open out to the rear yard. A decorative cupola with weathervane is proposed on the roof top.

The massing of the home is oriented toward the front of the lot with the second story on the front half of the home. The massing is broken up through the introduction of a deck stepping the front façade back above the garage. The arbor above the front door also provides variation in the overall form. Along Garnet Street, there is a mix of single-story and two-story homes.

Landscaping

The applicant will preserve the majority of the established landscaping onsite. The code requires a two feet wide landscape strip on the side of the driveway. The applicant will remove two feet of the existing pavers to comply with the requirement.

CEQA

Section 15303(a) of the CEQA Guidelines exempts a single-family residence in a residential zone. This project involves a new single family residence within the R-1 (Single-Family Residential) zoning district. No adverse environmental impacts were discovered during review of the proposed project.

RECOMMENDATION

Staff recommends the Planning Commission review the application and **approve** project application #17-0267 based on the findings and conditions.

CONDITIONS OF APPROVAL

1. The project approval consists of a new two-story, single-family residence at 4530 Garnet Street. The project consists of a 303 square-foot garage, 940 square foot first story living area, 569 square foot second story living area, 96 square foot second-story deck. The maximum Floor Area Ratio for the 3,200-square foot property is 57% (1,824 square feet). The total FAR of the project is 57% with a total of 1,812 square feet of floor area, compliant with the maximum FAR within the zone. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on October 5th, 2017, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans.
3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
4. Prior to issuance of building permit, all Planning fees associated with permit #17-0267 shall be paid in full.

5. At the time of submittal for building permit review, Affordable Housing in-lieu fees shall be paid prior to issuance of building permit, in accordance with chapter 18.02 of the Capitola Municipal Code.
6. At the time of submittal for building permit review, the site plan must include a two foot landscape strip between the driveway and side property line.
7. At the time of submittal for building permit review, the washer and dryer shown in the garage must be located outside the required 10 feet by 20 feet covered parking space.
8. At the time of submittal for building permit review, the building plans must show that the existing overhead utility lines will be underground to the nearest utility pole.
9. At the time of submittal for building permit review, Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP) shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP).
10. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
11. Prior to issuance of building permit, a final landscape plan shall be submitted and approved by the Community Development Department. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of irrigation systems, if proposed. Native and/or drought tolerant species are recommended.
12. Prior to issuance of building permits, the building plans must show that the existing secondary driveway approach (eastern property edge) be removed and replaced with a standard City curb which meets state accessibility requirements.
13. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Water District, and Central Fire Protection District.
14. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
15. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
16. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
17. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed

in the road right-of-way. The removed curb cut requires an encroachment permit which must be completed prior to certificate of occupancy.

18. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
19. Prior to a project final, all cracked or broken driveway approaches or street edge shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches shall meet current Accessibility Standards.
20. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
21. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
22. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
23. Upon receipt of certificate of occupancy, garbage and recycling containers shall be shielded and placed out of public view on non-collection days.

FINDINGS

- A. **The project, subject to the conditions imposed, secures 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 proposed single-family residence complies with the development standards of the Single-Family District. The project secures the purpose of the Zoning Ordinance, General Plan, and Local Coastal Plan
- B. **The project 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 application for the new single-family home. The design of the home with board and batt siding, a trellis over the archway, and standing seam metal roof will fit in nicely with the existing neighborhood. The project will maintain the character and integrity of the neighborhood.

- C. **This project is categorically exempt under Section 15303 of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.**

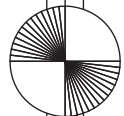
Section 15301(e) of the CEQA Guidelines exempts new single-family homes in residential neighborhoods. This project involves a new single-family residence within the R-1 (Single-Family Residential) zoning district. No adverse environmental impacts were discovered during review of the proposed project.

ATTACHMENTS:

1. 4530 Garnet Street Plan

Prepared By: Katie Herlihy
Senior Planner

COCHRAN RESIDENCE



GENERAL INFORMATION:

SITE AREA	1,500 SQ. FT.	ZONE:	R-1
BUILDING			
EXISTING	942 SQ. FT.		
ADDITION	376 SQ. FT.		
TOTAL	926 SQ. FT.		
REARDECK	949 SQ. FT.		
FRONT PORCH	1,529 SQ. FT.		
SUBTOTAL	1,529 SQ. FT.		
SCREEN	1,529 SQ. FT.		
UPPER DECK	96 SQ. FT.		

EAU: 1,200 X 57' X = 1,824 ALLOWED

COCHRAHAN RESIDENCE
 4350 GARNET ST.
 CAPITOLA, CA 95010
 DATE: 07/18/17

THE DESIGNER MUST BE NOTICED OF ANY DISCREPANCIES IN THE DOCUMENTS AND/OR ORDERS FROM THESE DOCUMENTS. THE DESIGNER SHALL BE RESPONSIBLE FOR THE DESIGNER'S RESULTS FROM THEIR UNAUTHORIZED USE OF THESE DOCUMENTS. THE DESIGNER SHALL BE RESPONSIBLE FOR THE DESIGNER'S RESULTS FROM THEIR UNAUTHORIZED USE OF THESE DOCUMENTS.

DESIGNER: DENNIS NORTON
 HOME DESIGN AND PROJECT PLANNING
 712 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010
 PHONE: 831-476-2616 FAX: 831-476-2616
 WEBSITE: www.dennishomeandproject.com

LEGEND OF SHEETS

PAGE	TITLE
1	COVER SHEET, PROJECT INFO
2	PROPOSED SITE PLAN
3	PROPOSED EXTERIOR FINISHES
4	PROPOSED INTERIOR FINISHES
5	PROPOSED FLOOR FINISHES
6	PROPOSED CEILING FINISHES
7	PROPOSED PAINT FINISHES
8	PROPOSED LANDSCAPE FINISHES
9	SHEDS

DRWING	CG
ORDER	
JOB NO.	GARNET
DATE	07/18/17
SHEET	1
OF	4
SHEETS	

COVER SHEET
 LEGEND OF SHEETS

DENNIS NORTON
 HOME DESIGN AND PROJECT PLANNING

712 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010
 PHONE: 831-476-2616 FAX: 831-476-2616
 WEBSITE: www.dennishomeandproject.com

COCHRAN RESIDENCE
 4350 GARNET ST.
 CAPITOLA, CA 95010
 APN 034-034-02

REVISIONS

NO.	DESCRIPTION

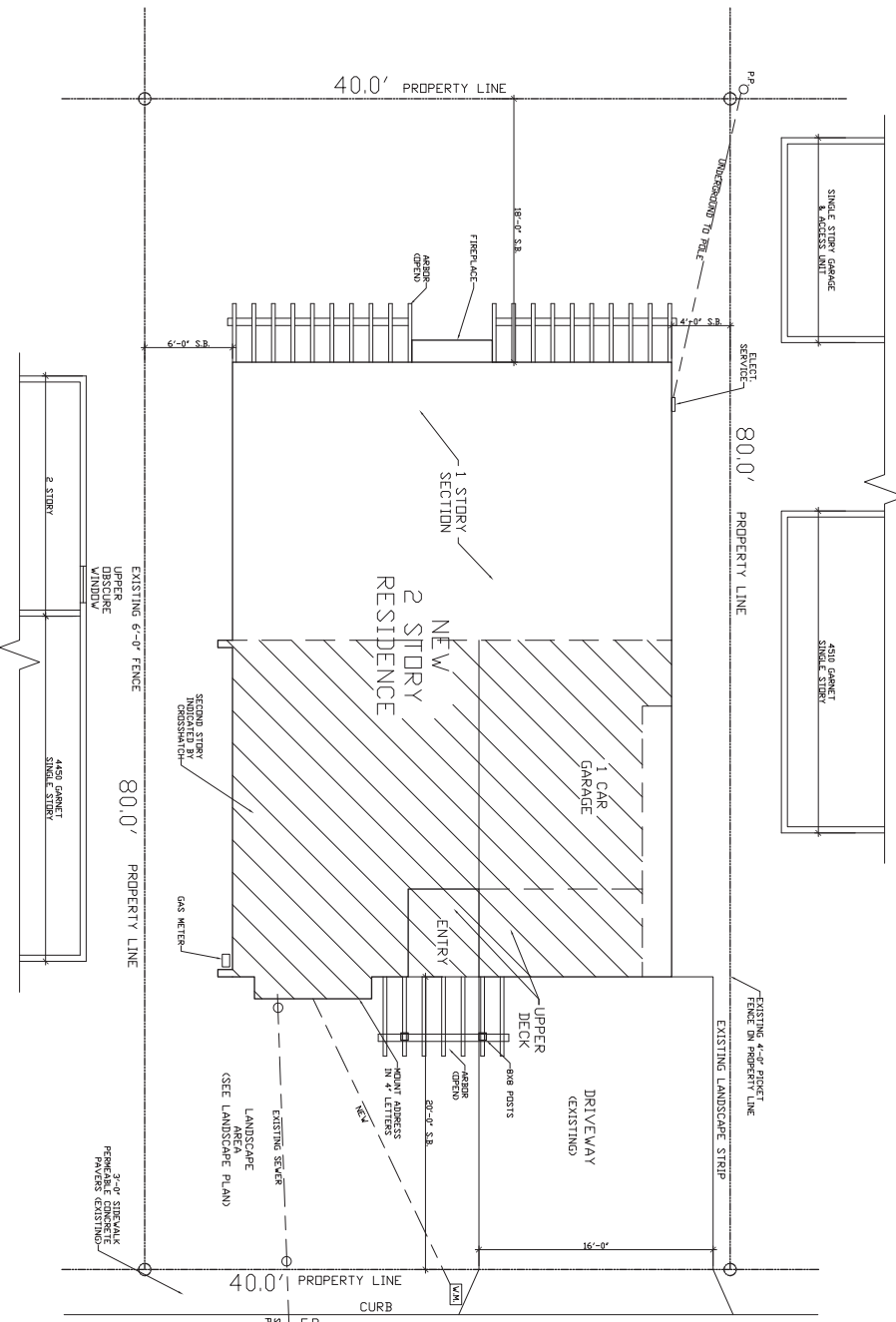
REFERENCE DATA:
18 MAPS 40
OR 154



SITE MAP
 OF THE LANDS OF
 CLARK AND SUZANNE COCHRAN
 4530 GARNET STREET
 CAPITOLA, CALIFORNIA
 APN 034-034-02
 OCTOBER, 2016

PREPARED BY
 PAUL JENSEN
 PROFESSIONAL LAND SURVEYOR # 4627
 SANTA CRUZ, CALIFORNIA

- LEGEND:**
- = 4 X 4 POST
 - ◻ = WATER METER
 - ◻ = GAS METER
 - ◻ = ELECTRICAL SERVICE
 - ◻ = POWER POLE
 - = FLOWLINE
 - = FENCE
 - = BANANA TREE
 - ◻ = EXISTING CONCRETE
 - ◻ = EXISTING ASPHALT
 - ◻ = EXISTING PAVER



SITE PLAN
1/4"=1'-0"

GARNET ST.

SHEET
OF 4
2
SHEETS

DATE: 07/19/17

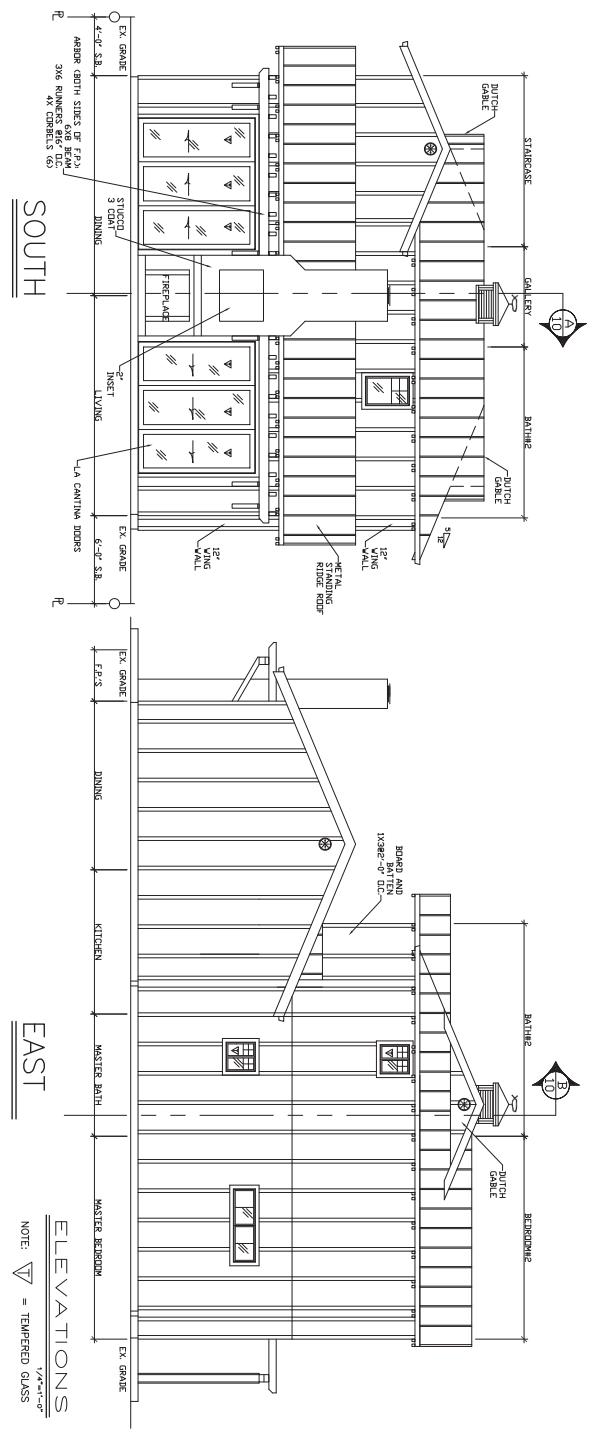
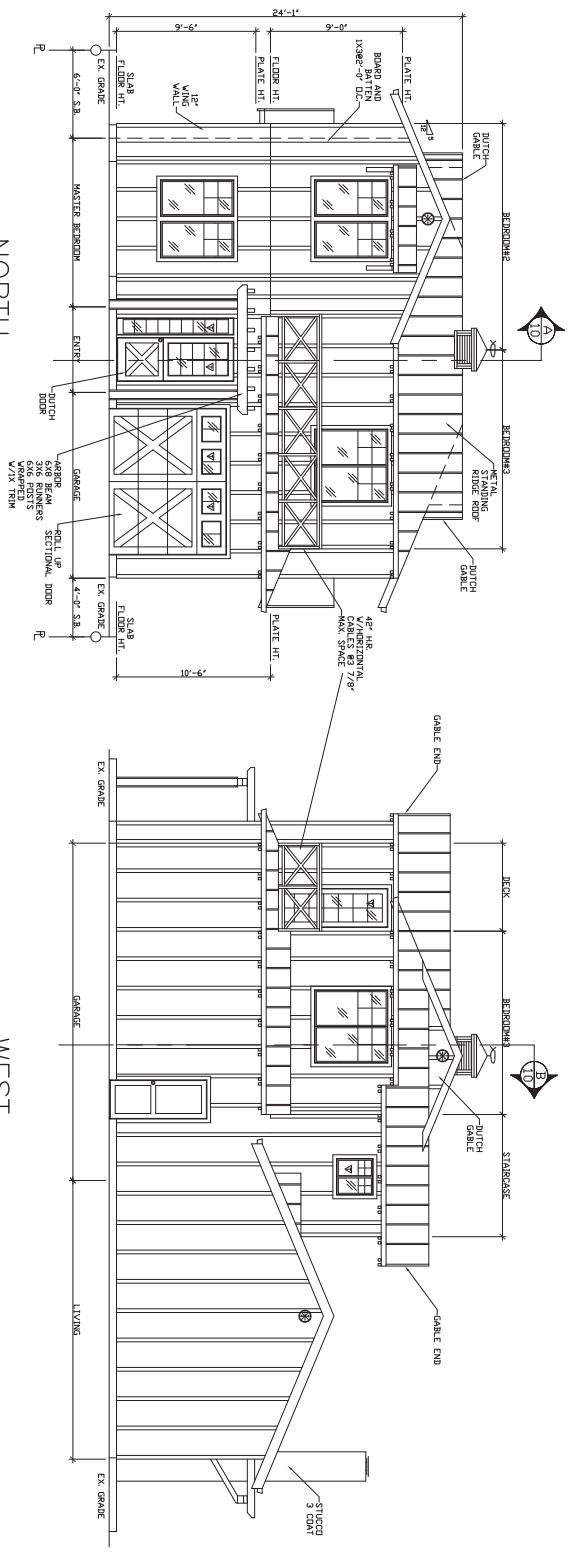
PROPOSED SITE PLAN

DENNIS NORTON
HOME DESIGN AND
PROJECT PLANNING
712 C CAPITOLA AV • CAPITOLA, CA 95010 • 831 476 2616
FAX: 476 2616

COCHRAN RESIDENCE
4530 GARNET ST.
CAPITOLA, CA 95010
APN 034-034-02

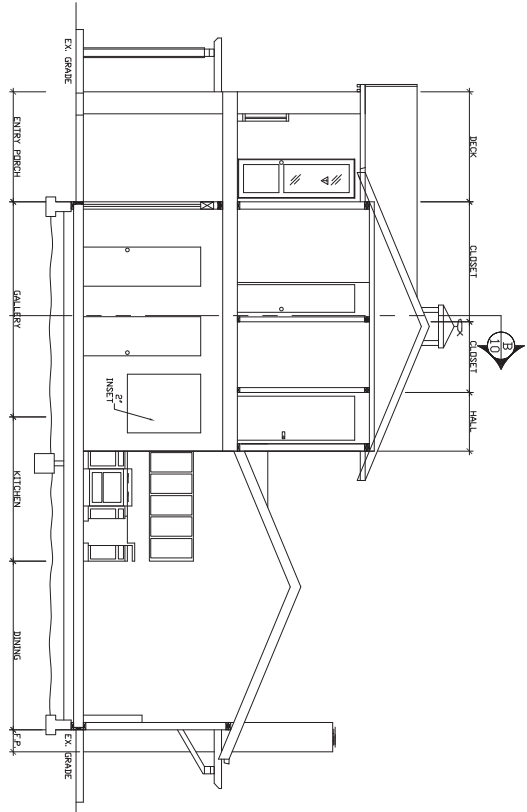
OWNER: COCHRAN
4530 GARNET ST.
CAPITOLA, CA 95010
034-034-02

REVISIONS

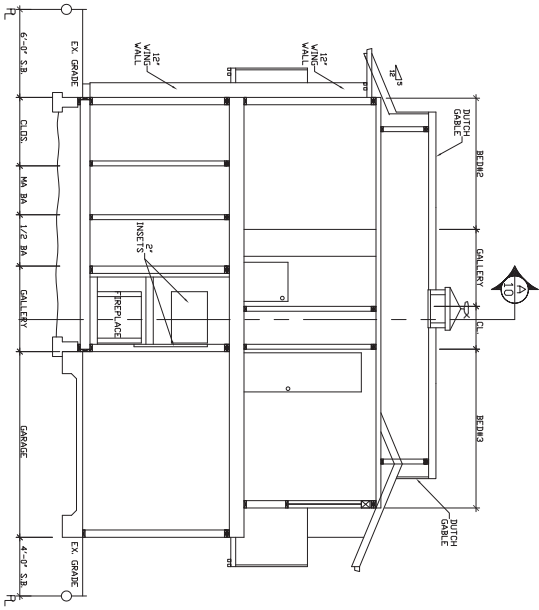


ELEVATIONS
1/4"=1'-0"
NOTE: ▽ = TEMPERED GLASS

<p>PROPOSED ELEVATIONS</p>	<p>DENNIS NORTON HOME DESIGN AND PROJECT PLANNING</p> <p>712 C CAPITOLA AV. CAPITOLA, CA 95010 • 831 476 2616 FAX: 476 2616</p>	<p>COCHRAN RESIDENCE</p> <p>4530 GARNET ST. CAPITOLA, CA 95010 APN 034-034-02</p>	<p>OWNER: COCHRAN 4530 GARNET ST. CAPITOLA, CA 95010 TEL: 831-476-1772</p>						
<p>5 SHEETS</p>	<p>DATE: 07/19/17</p>	<p>SCALE: 1/4"=1'-0"</p> <p>DRAWN: GG</p> <p>CHECK: CABINET</p>	<p>REVISIONS:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>NO.</th> <th>DESCRIPTION</th> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </table>	NO.	DESCRIPTION				
NO.	DESCRIPTION								



SECTION A



SECTION B

SECTIONS
1/4"=1'-0"

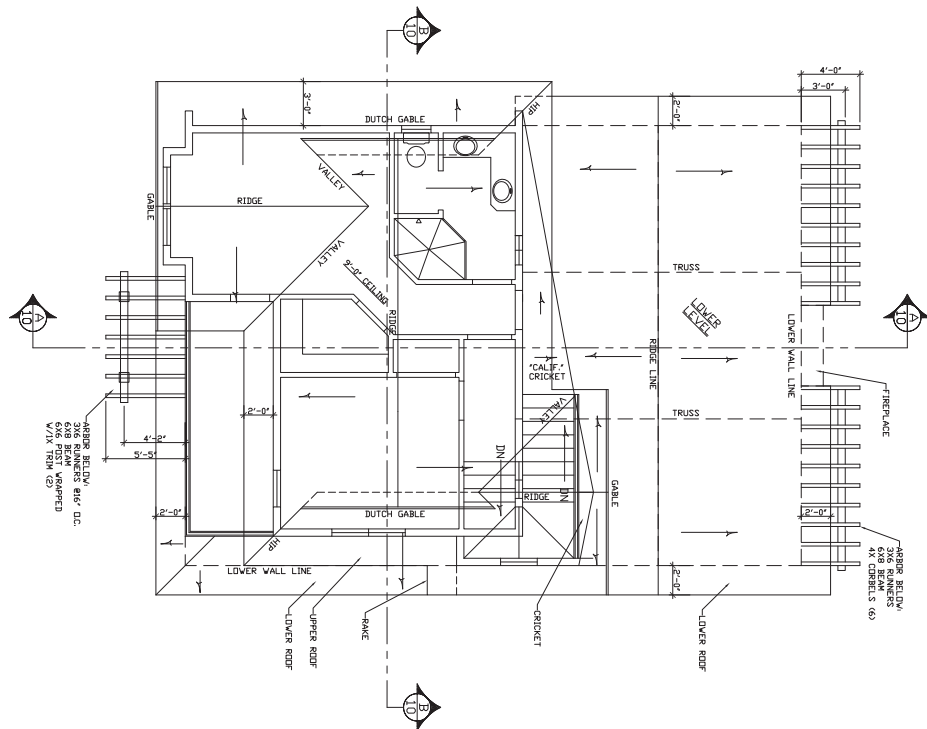
REVISIONS

OWNER: DENNIS NORTON
 4530 GARNET ST.
 CAPITOLA, CA 95010
 (925) 507-1772


DENNIS NORTON
 HOME DESIGN AND
 PROJECT PLANNING
 712 C CAPITOLA AV. · CAPITOLA, CA 95010 · 831 476 2616
 FAX: 476 2616

SECTIONS

DATE: 07/28/17
 SCALE: CABINET
 SHEET # 10
 OF 9 SHEETS

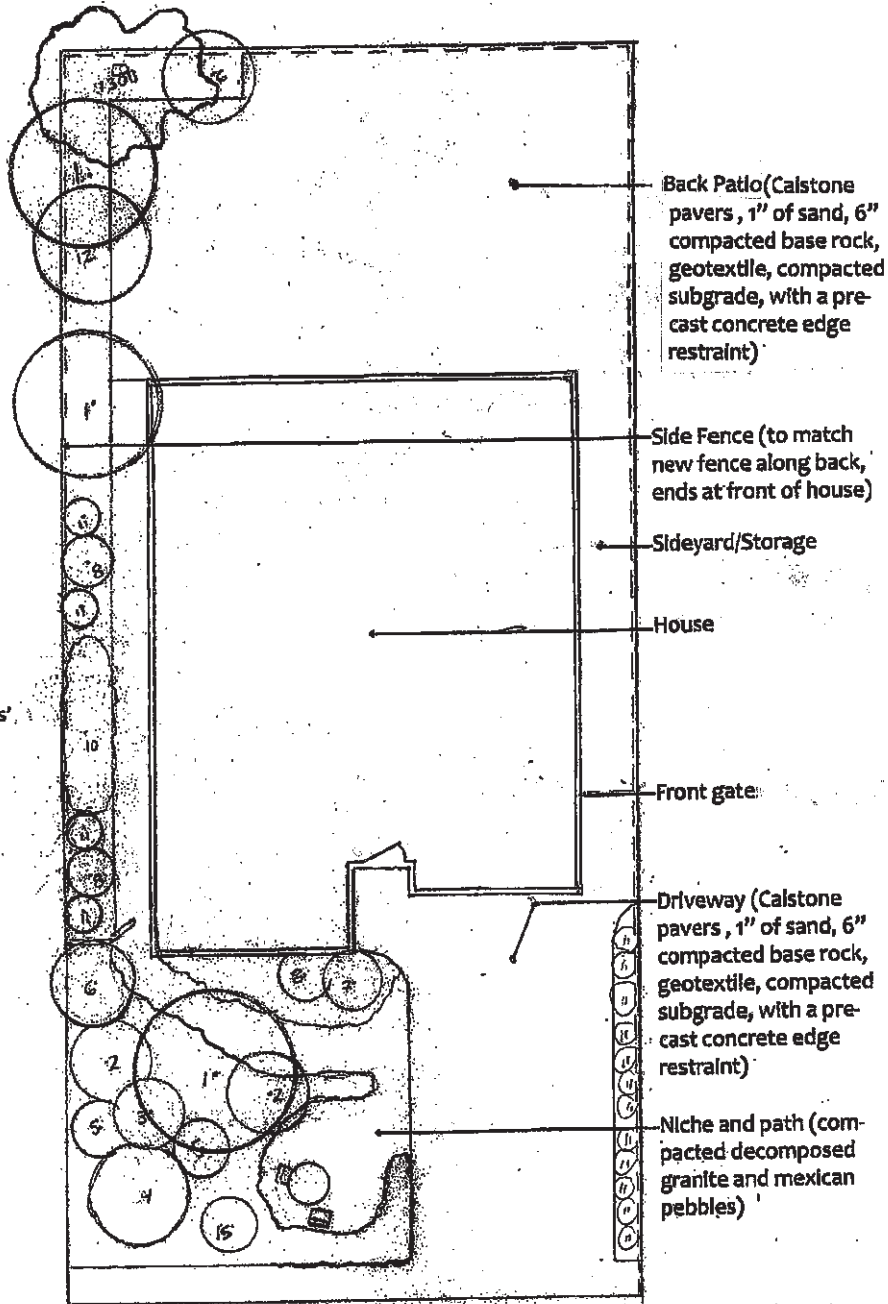


ROOF PLAN
1/4"=1'-0"

SHEET  OF 8 SHEETS	DATE 07/19/17	JOB NO. CABINET	SCALE 1/4"=1'-0"	DRAWN GSI	ROOF PLAN	DENNIS NORTON HOME DESIGN AND PROJECT PLANNING 712 C CAPITOLA AV. CAPITOLA, CA 95010 • 831 476 2616 FAX: 476 2616	COCHRAN RESIDENCE 4530 GARNET ST. CAPITOLA, CA 95010 APN 034-034-02	OWNER DENNIS COCHRAN 4530 GARNET ST. CAPITOLA, CA 95010 (831) 476-1772	REVISIONS:
									BR

Matthew Madden Designs
 294 Laurel Drive
 Felton, CA 95018
 (831)246-2382
 olafmadden@gmail.com

- 1. *Ensete ventricosum*
 (Green in front)
 (Reds in back)
- 2. *Alpinia zerumbet* 'Variegata'
- 3. *Alocasia gagaena* 'California'
- 4. *Melanthus major*
- 5. *Canna* 'Harvest Moon'
- 6. *Brugmansia* 'Betty Marshal'
- 7. *Agave attenuata* 'Ray of Light'
- 8. *Colocasia esculenta* 'Black Magic'
- 9. *Origanum* 'Norton's Gold'
- 10. *Ficus carica* 'Black Mission'
 (espallered)
- 11. *Cryptomium falcatum*
- 12. *Dicksonia antarctica*
- 13. *Acacia pendula*
- 14. *Agave attenuata* 'Kara's Stripe'
- 15. *Encephalartos arenarius*
- Sun border plants
 Aeoniums
 Echeverias
 Liriope
 Dianella tasmania 'Yellow Stripe'
- Shade border plants
 Ophiopogon planiscapus 'Nigrescens'
 Tradescantia zebrina
 Zantedeschia albomaculata
 Sanseveria trifasciata



Attachment: 4530 Garnet Street Plan (4530 Garnet Street)

Cochrane Cottage 4530 Garnet Street Capitola

North
 ↓
 scale: 1" = 8'-0"



STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: OCTOBER 5, 2017
 SUBJECT: **1890 46th Avenue #17-0299 APN: 034-011-45**

Design Permit for a remodel and addition to a single-family home with a new attached single-car garage with living space above. The property is located in the R-1 (Single-Family Residential) zoning district.

This project is in the Coastal Zone but does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption

Property Owner: Pauline Moore Naber

Representative: Dennis Norton, filed: 8/8/17

APPLICANT PROPOSAL

The application is for a design permit for an addition to a single-family residence including a new garage with living space above. The home is located in the RM-M (Multi-Family – Medium Density) zoning district and complies with all the development standards of the zone.

BACKGROUND

On September 12th, 2017, the application was reviewed by the Architectural and Site Review committee.

Local Architect, Frank Phanton: supported the design as it provides privacy.

Local Landscape Architect: position vacant.

Public Works, Danielle Uharriet: informed the designer that they will be required to mitigate stormwater at the time of building permit.

Building Inspector, Nelson Membreno: informed the designer of the engineering requirements.

Senior Planner, Katie Herlihy: informed the designer that the dimensions of the lot did not match the survey.

Following the Arch and Site meeting, the applicant updated the site plan to match the dimensions of the survey.

ZONING SUMMARY

A single-family home in the RM-M zoning district, must comply with the development standards of the R-1 (Single Family Residential) zoning district. The following table outlines the zoning code requirements for development in the R-1 Zoning District relative to the application for the single-family home. The new addition complies with all development standards of the zone. The structure is non-conforming in that it does not comply with front yard setbacks.

R-1 (Single Family Residential) Zoning District

Development Standards			
Building Height	R-1 Regulation		Proposed
	25 ft.		24 ft. 4 in.
Floor Area Ratio (FAR)			
Lot Size			5,100 sq. ft.
Maximum Floor Area Ratio			49% (2,499 Max sq. ft.)
First Floor w/ garage			1,765 sq. ft.
Second Floor			450 sq. ft.
Decks and Stairs (- 150 sf)			287-150 = 137 sq. ft.
TOTAL FAR			2,352 sq. ft.
Yards (setbacks are measured from the edge of the public right-of-way)			
Corner lot? If yes, update regulations for corner lots		No	
	R-1 Regulation		Proposed
Front Yard 1st Story	15 ft.		9 ft. Existing non-conforming
Front Yard 2nd Story & Garage	20 ft.		48 ft.
Side Yard	10% of width	Lot width 50 ft 5 ft. min	6 ft. 3 in.
Rear Yard	20% of depth	Lot depth 102 ft 21 ft. min	21 ft.
Encroachments (list all)	Storage Shed		108 sq. ft. storage shed and a tankless hot water heater encroach into rear yard.
Parking			
	Required		Proposed
Residential 2,100 to 2,600 sq. ft.	3 spaces total 1 covered		3 spaces total 1 covered 2 uncovered
Underground Utilities: required with 25% increase in area			Utilities must be relocated underground to the nearest utility pole.

DISCUSSION

The 5,100 square-foot parcel is located on 46th Avenue, a street with a variety of residential housing stock including single-family homes and multi-family apartments. The RM-M zone, requires 2,900 square feet per dwelling unit; therefore, the 5,100 square foot lot is limited to a single-family home.

Design Permit

The applicant is proposing a remodel and addition to the existing single-family home. The plans include expanding the kitchen area of the home and building an attached garage with living

space above. The new exterior materials will match existing with board and batten on the front elevation and horizontal siding along the side and rear elevations. The new garage will also be finished with horizontal hardie-board siding. A one foot wide belly-board is proposed to break the massing of the structure between the two floors. The finishing details include new corbels under the 18-inch roof overhangs, corner trim, new windows and trim throughout, and a deck off the second story addition.

Non-conforming Structure

The existing home is a non-conforming structure because it does not comply with the front yard setback requirement. The proposed remodel and addition does not exceed 80% of the current market value. The home may maintain the non-conforming status.

CEQA

Section 15301(e) of the CEQA Guidelines exempts the construction of an addition to a single structure that will not result in an increase of more than 50% of the floor area of the existing structure. This project involves an addition to an existing single-family residence in the RM-M Zoning District. No adverse environmental impacts were discovered during review of the proposed project.

RECOMMENDATION

Staff recommends the Planning Commission review the application and approve project application #17-0299 based on the findings and conditions.

CONDITIONS OF APPROVAL

1. The project approval is for the construction of remodel and addition to the existing single-family home at 1890 46th Avenue. The maximum Floor Area Ratio for the 5,100 square-foot property is 49% (2,499 square feet). The total FAR of the project is 46% with a total of 2,352 square feet of floor area, compliant with the maximum FAR within the zone. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on October 5th, 2017, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans.
3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
4. Prior to issuance of building permit, all Planning fees associated with permit #17-0299 shall be paid in full.
5. Affordable Housing in-lieu fees are not required for this project because the addition is less than 50 percent of the square footage of the existing home.
6. Prior to issuance of building permits, the building plans must show that the existing overhead utility lines will be underground to the nearest utility pole.
7. At the time of submittal for building permit review, Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP) shall be printed in full and incorporated

as a sheet into the construction plans. All construction shall be done in accordance with Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP).

8. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
9. Prior to issuance of building permit, a final landscape plan shall be submitted and approved by the Community Development Department. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of irrigation systems, if proposed. Native and/or drought tolerant species are recommended.
10. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Water District, and Central Fire Protection District.
11. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
12. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
13. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
14. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
15. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
16. Prior to a project final, all cracked or broken driveway approaches or street edge shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches shall meet current Accessibility Standards.
17. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a

permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.

18. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
19. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
20. Upon receipt of certificate of occupancy, garbage and recycling containers shall be shielded and placed out of public view on non-collection days.

FINDINGS

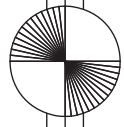
- A. **The application, subject to the conditions imposed, secures the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The proposed addition complies with the Zoning Ordinance and the project secures the purpose 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 application for the addition to the existing residence. The updated design will maintain the character and integrity of the neighborhood.
- C. **This project is categorically exempt under Section 15301 of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.**
Section 15301(e) of the CEQA Guidelines exempts the construction of additions that are less than 50 percent of the existing structure. This project involves an addition to an existing, single-family residence that is less than 50% of the square footage of the existing home. No adverse environmental impacts were discovered during review of the proposed project.

ATTACHMENTS:

1. 1890 46th Avenue Plan

Prepared By: Katie Herlihy
Senior Planner

MOORE RESIDENCE



GENERAL INFORMATION:

SITE AREA:	5,100 SQ. FT.	ZONE:	R-1
BUILDING:			
EXISTING DECK:	1,214 SQ. FT.		
EXISTING DECK:	97 SQ. FT.		

PROPOSED DECK:	1,270 SQ. FT.
1ST FLOOR LIVING:	1,737 SQ. FT.
1ST FLOOR KITCHEN:	2,288 SQ. FT.
1ST FLOOR BATH:	247 SQ. FT.
1ST FLOOR DECK:	40 SQ. FT.
2ND FLOOR DECK:	

COORDINATOR:
PAUL MOORE
1890 46TH AVE.
CAPITOLA, CA 95010
PHONE: 408-339-2113

DESIGNER:
DENNIS NORTON
HOME DESIGN AND PROJECT PLANNING
712 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010
PHONE: 831-476-2616 FAX: 831-476-2616
WEBSITE: www.dennishomeplanning.com

BUILDING CLASSIFICATION: R-1/A1
FIRE RATING: NON-SPRINKLERED

THE DESIGNER MUST BE NOTICED OF ANY DISCREPANCIES IN THE DOCUMENTS AND/OR ORDERS FROM THESE DOCUMENTS. THE DESIGNER SHALL BE RESPONSIBLE FOR THE DESIGN RESULTING FROM THEIR UNAUTHORIZED USE OF THESE DOCUMENTS. THE DESIGNER SHALL BE RESPONSIBLE FOR THE DESIGN CONFLICTS THAT MAY BE ENCOUNTERED IN THE CONSTRUCTION DOCUMENTS.

LEGEND OF SHEETS

PAGE	TITLE
1	COVER SHEET, PROJECT INFO
2	PROPOSED SITE PLAN
3	EXISTING FLOOR PLAN
4	PROPOSED FLOOR PLAN
5	ELEVATIONS
6	SECTION
7	MECHANICAL
8	REST MANAGEMENT PRACTICES
9	SWEEP

COVER SHEET
LEGEND OF SHEETS

DATE: 09/16/17

JOB NO.: 46TH_AV

DRAWN: CG

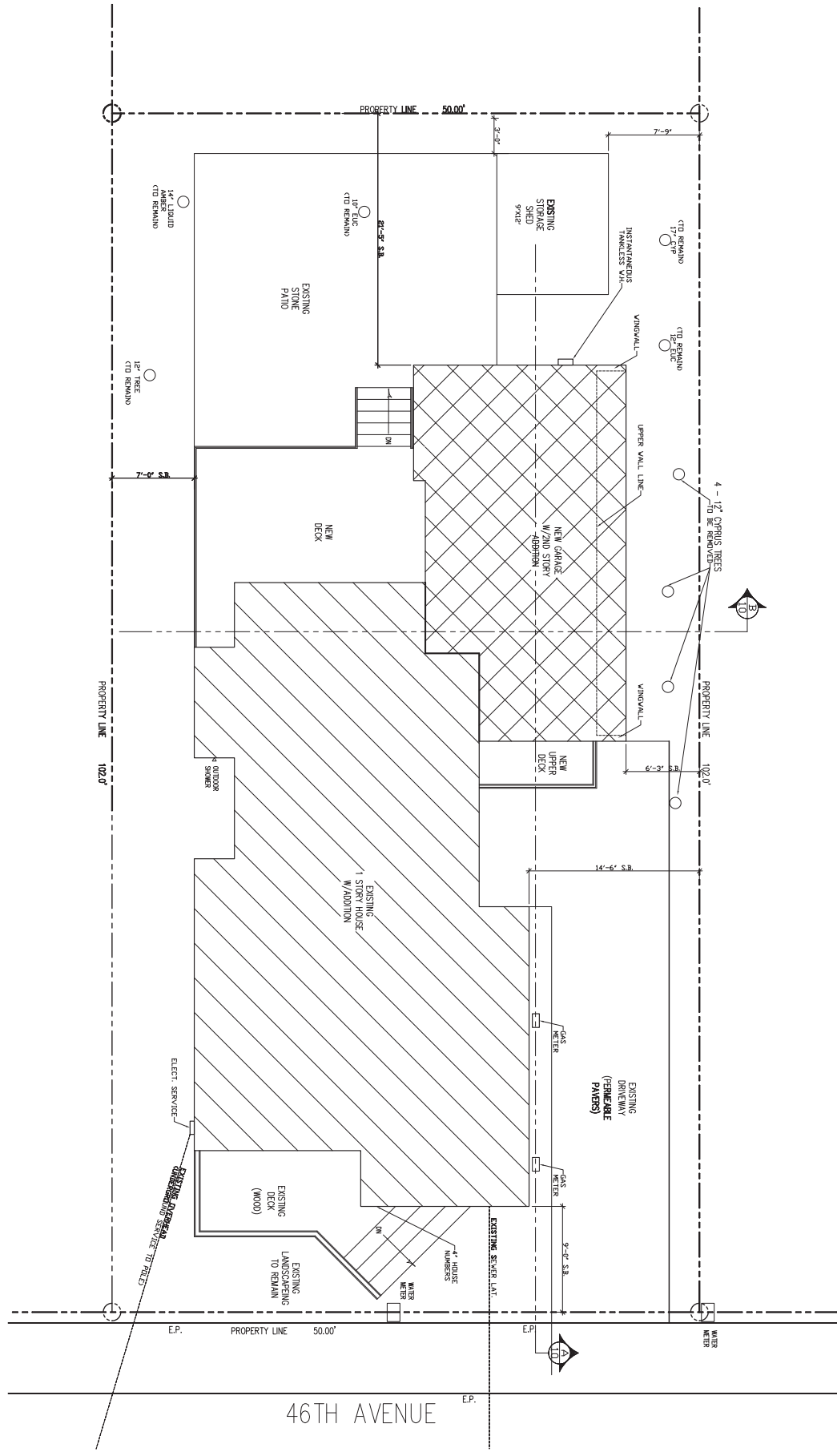
CHECKED: CG

SHEET 1 OF 9 SHEETS

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MOORE RESIDENCE
1890 46TH AVE.
CAPITOLA, CA 95010
APN 034-011-45



1 SITE PLAN
SCALE: 1/4"=1'-0"



SHEET	2
DATE	09/16/17
JOB NO.	46TH_AV
SCALE	1/4"=1'-0"
DESIGNER	GG

PROPOSED SITE PLAN

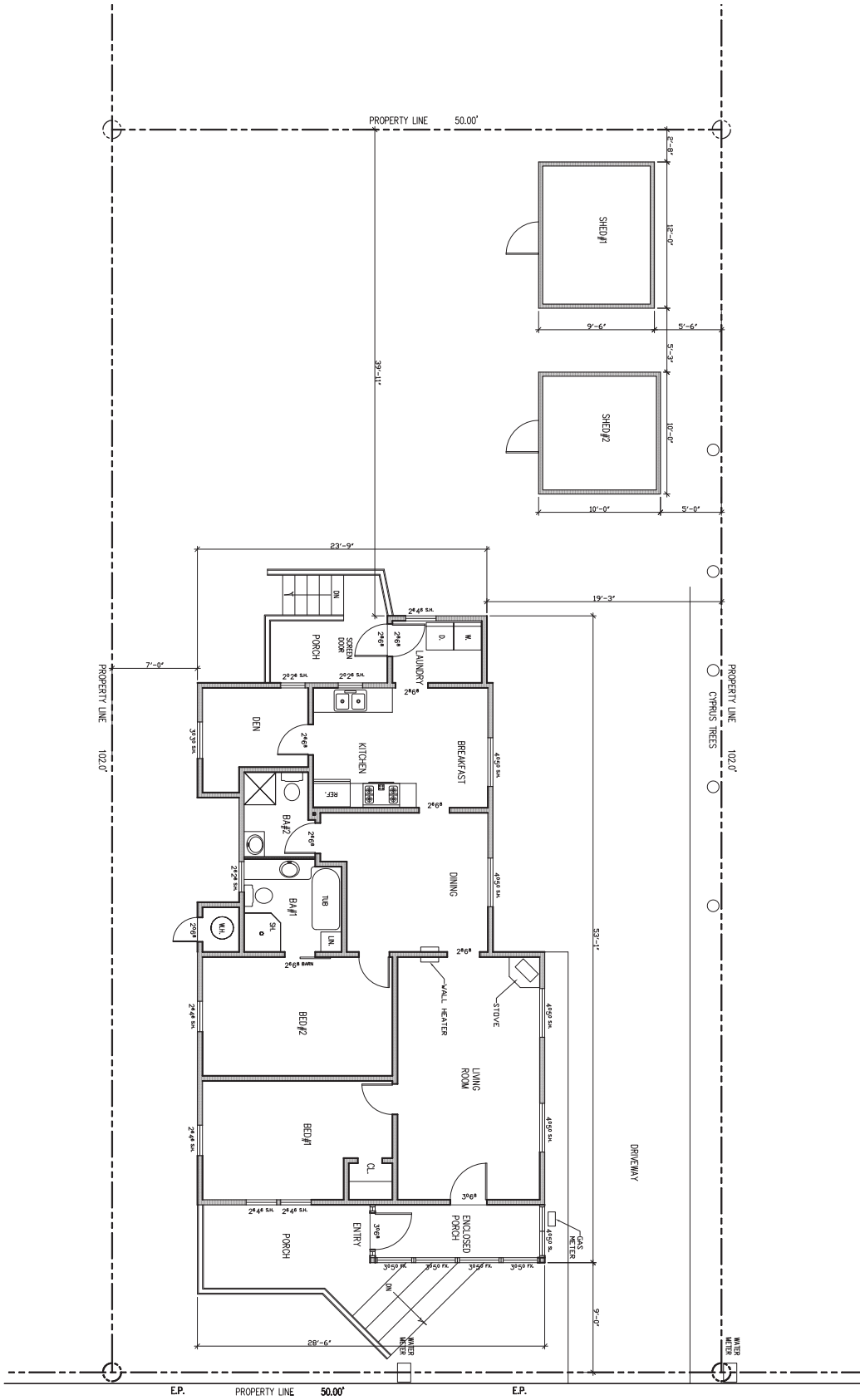
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HOME DESIGN AND PROJECT PLANNING

712 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010
PHONE: 831 476 2616 FAX: 831 476 2616
WEBSITE: www.dennisonortondesign.com

MOORE RESIDENCE
1890 46TH AVE.
CAPITOLA, CA 95010
APN 034-011-45

DESIGNER	GG
DATE	09/16/17
JOB NO.	46TH_AV
SCALE	1/4"=1'-0"
DESIGNER	GG

REVISIONS	BY	DATE



FLOORPLAN
SCALE: 1/4"=1'-0"

46TH AVENUE

SHEET
3
OF 4
SHEETS

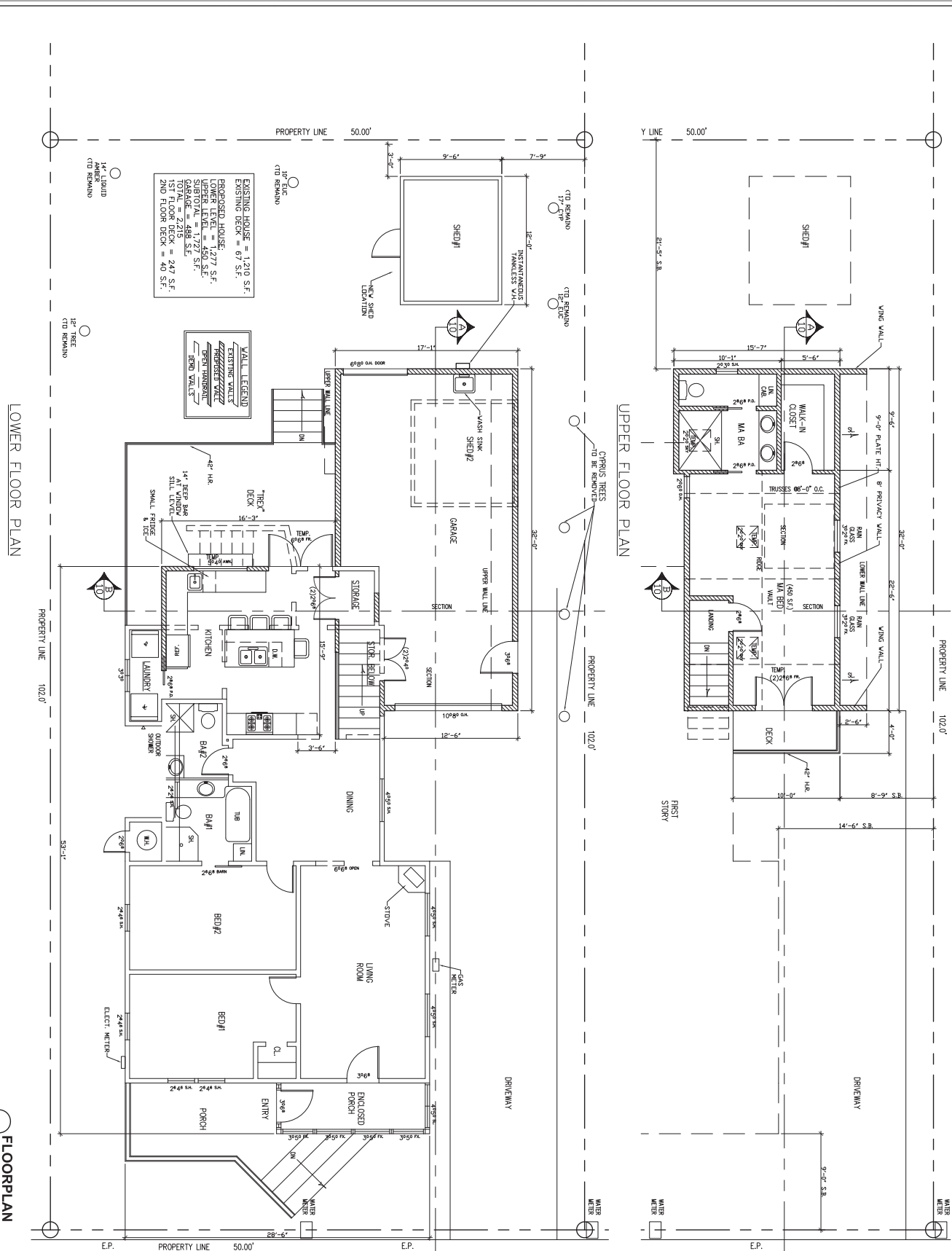
DATE: 09/16/17
JOB NO. 46TH AV

EXISTING FLOORPLAN

DENNIS NORTON
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MOORE RESIDENCE
1890 46TH AV.
CAPITOLA, CA 95010
APN 034-011-45

REVISIONS	BY	DATE



EXISTING HOUSE = 1,210 S.F.
 EXISTING DECK = 67 S.F.
 PROPOSED HOUSE:
 LOWER LEVEL = 1,277 S.F.
 UPPER LEVEL = 450 S.F.
 GARAGE = 488 S.F.
 TOTAL = 2,215 S.F.
 1ST FLOOR DECK = 247 S.F.
 2ND FLOOR DECK = 40 S.F.

WALL LEGEND
 EXISTING WALLS
 PROPOSED WALLS
 BREAK THROUGH WALLS
 SHEED WALLS

LOWER FLOOR PLAN

UPPER FLOOR PLAN

FLOORPLAN



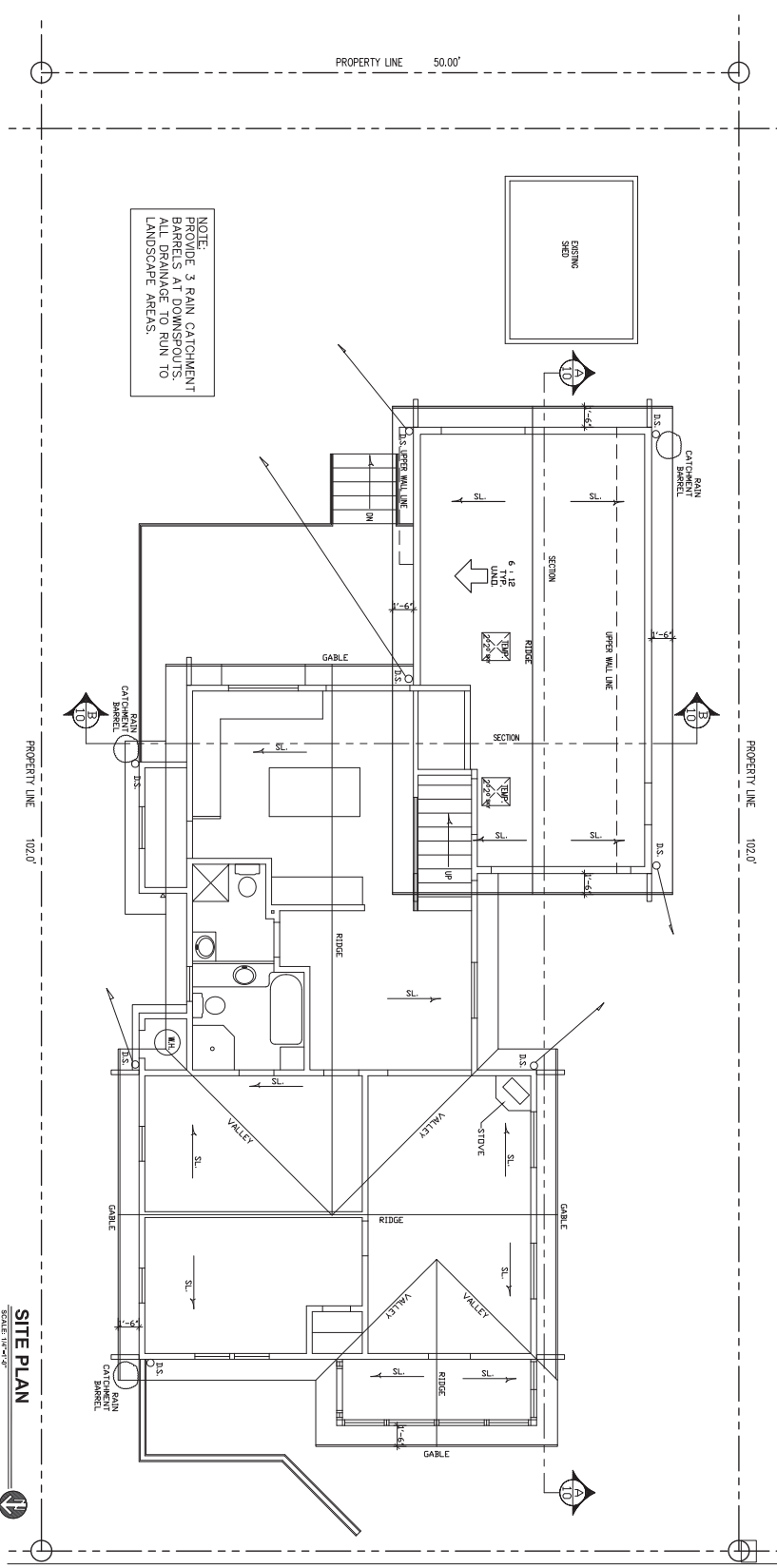
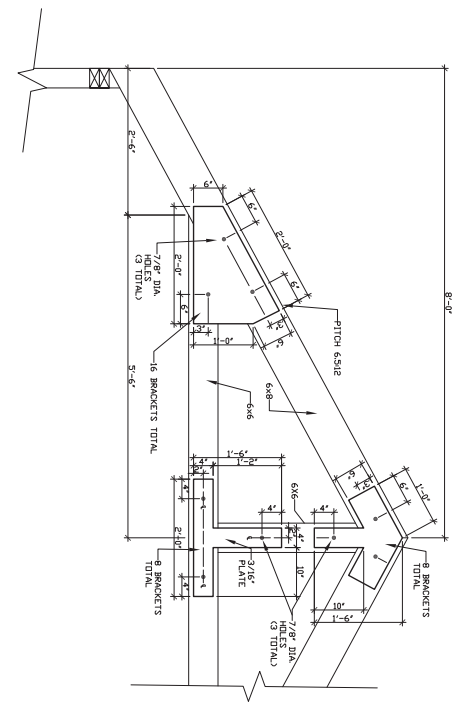
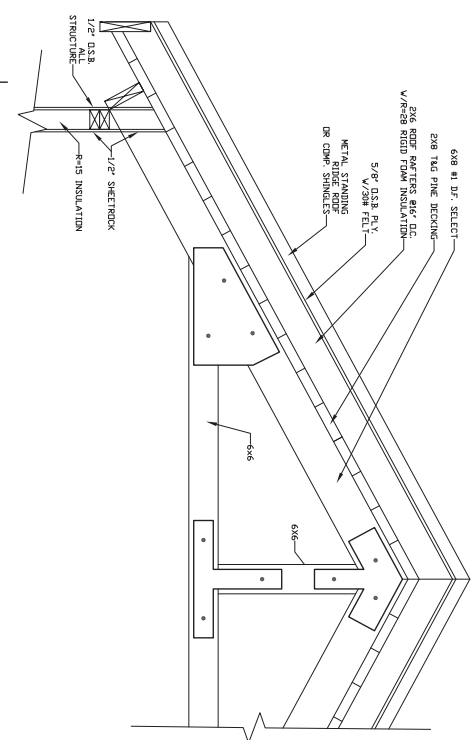
DRWING	GG
SCALE	1/4" = 1'-0"
JOB NO.	46TH AV
DATE	09/16/17

PROPOSED FLOORPLAN

DENNIS NORTON
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 712 C CAPITOLA AV. CAPITOLA, CA 95010 • 831 476 2616
 FAX: 476 2616

MOORE RESIDENCE
 1890 46TH AVE.
 CAPITOLA, CA 95010
 APN 034-011-45

REVISIONS	BY	DATE



NOTE:
 PROVIDE 3 RAIN CATCHMENT
 BARRELS AT DOWNSPOUTS
 ALL DRAINAGE TO RUN TO
 LANDSCAPE AREAS.

SITE PLAN
 SCALE 1/4"=1'-0"

46TH AVENUE

ROOF PLAN

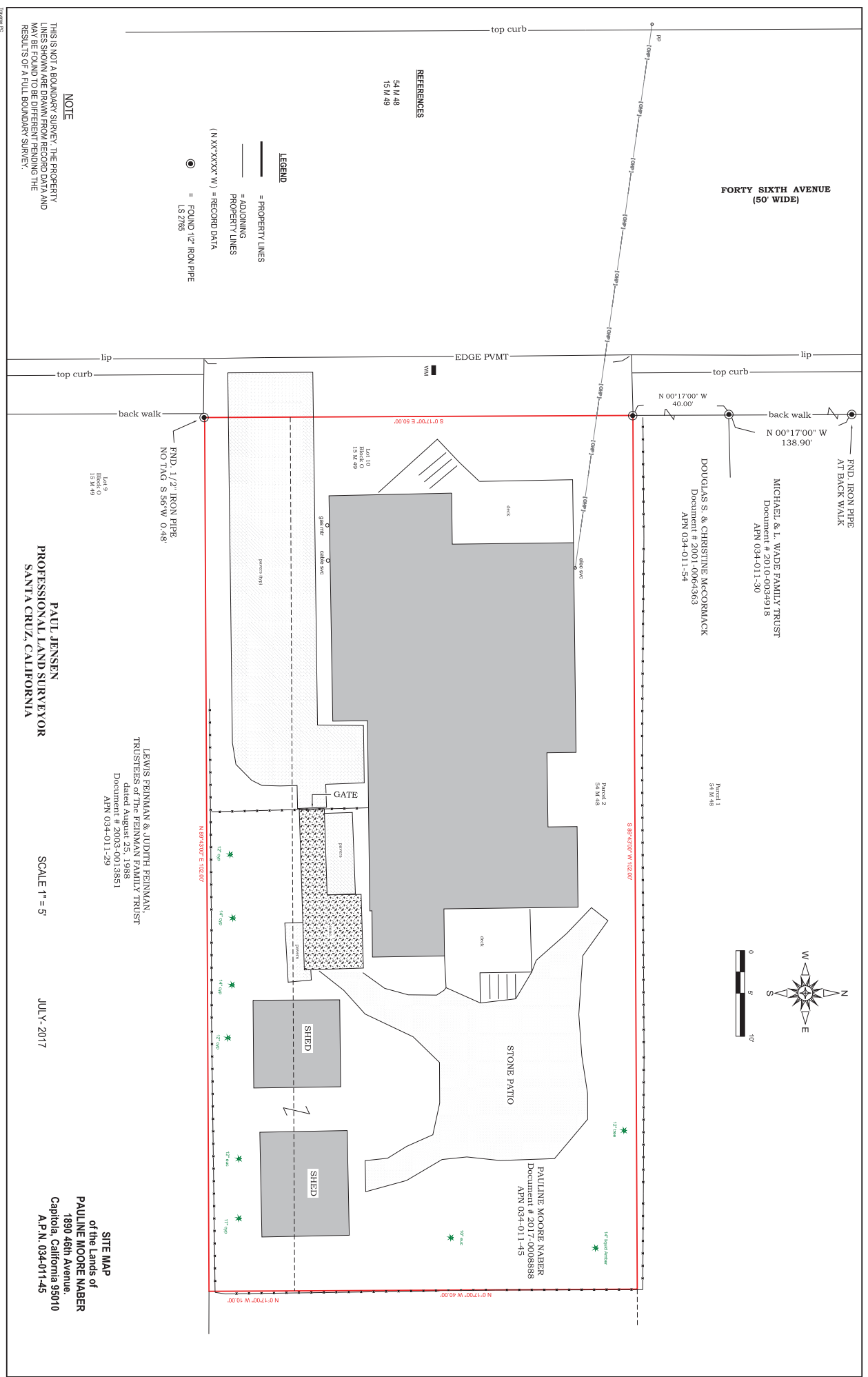
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MOORE RESIDENCE
 1890 46TH AV.
 CAPITOLA, CA 95010
 APN 034-011-45

PAUL MOORE
 1890 46TH AV.
 CAPITOLA, CA 95010
 (831) 329-2111

REVISIONS	BY	DATE

DRWING: GG
 SCALE: 1/4"=1'-0"
 JOB NO: 46TH AV
 DATE: 09/16/17
 SHEET: 8
 OF 8 SHEETS



NOTE
 THIS IS NOT A BOUNDARY SURVEY. THE PROPERTY LINES SHOWN ARE DRAWN FROM RECORD DATA AND MAY BE FOUND TO BE DIFFERENT PENDING THE RESULTS OF A FULL BOUNDARY SURVEY.

REFERENCES
 54 M 48
 15 M 49

LEGEND
 = PROPERTY LINES
 = ADJOINING PROPERTY LINES
 (NXX°XXXX' W) = RECORD DATA
 = FOUND 1/2" IRON PIPE
 LS 2785

PAUL JENSEN
 PROFESSIONAL LAND SURVEYOR
 SANTA CRUZ, CALIFORNIA

LEWIS PENNMAN & JUDITH PENNMAN
 TRUSTEES OF THE PENNMAN & JUDITH TRUST
 Document # 2003-0013851
 APN 034-011-29

PAULINE MOORE NABER
 Document # 2017-0008888
 APN 034-011-45

PAULINE MOORE NABER
 Document # 2010-0034918
 APN 034-011-30

DOUGLAS S. & CHRISTINE MCCORMACK
 Document # 2001-0064363
 APN 034-011-54

MICHAEL & L. WADE FAMILY TRUST
 Document # 2010-0034918
 APN 034-011-30

PAULINE MOORE NABER
 of the Lands of
PAULINE MOORE NABER
 1890 46th Avenue,
 Capitola, California 95010
 A.P.N. 034-011-45

SCALE 1" = 5'

JULY 2017

SITE MAP

of the Lands of

PAULINE MOORE NABER

1890 46th Avenue,

Capitola, California 95010

A.P.N. 034-011-45



STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: OCTOBER 5, 2017
 SUBJECT: **108 Monterey Avenue #17-0350 APN : 035-262-09**

Coastal Development Permit for a seasonal ice skating rink.
 This project is in the Coastal Zone and requires a Coastal Development Permit which is appealable to the Coastal Commission after all local appeals are exhausted.
 Environmental Determination: Categorical Exemption
 Property Owner: City of Capitola
 Representative: Capitola Village Wharf Business Improvement, filed: 9/11/17

APPLICANT PROPOSAL

The applicant is proposing a temporary ice skating rink in Esplanade Park during the holiday months of December and January. Esplanade Park is located in the Public Facilities Zone. The temporary use is consistent with the General Plan, Zoning Ordinance, and Local Coastal Program.

BACKGROUND

On August 24, 2017, the City Council authorized use of Esplanade Park for a temporary ice skating rink through the issuance of a Special Even Permit, an Encroachment Permit, and an Amplified Sound Permit. "iSkate Capitola Village" is a new special event jointly proposed by the Capitola Village Wharf and Business Improvement Association (BIA) and the Capitola-Soquel Chamber of Commerce (Chamber). The BIA is the applicant and is organizing the event.

DISCUSSION

A development that increases the intensity of use within the Coastal Appeal Zone requires a Coastal Development Permit (CDP). The proposed ice skate rink will intensify the use of Esplanade Park and therefore requires approval of a CDP by the Planning Commission.

The BIA is requesting a CDP to have a synthetic ice skating rink in Esplanade Park from December 15, 2017, through January 7, 2018. The purpose of the event is to provide residents and tourists with a holiday activity and to draw more customers to Village businesses during the slower winter season. If the event is a success, the BIA would like the event to be recurring. A condition of approval has been added to allow the event to recur with the requirements that each year proper permits from the City Council (Special Event Permit and Encroachment Permit) are acquired and the California Coastal Commission is notified in advance.

The proposed rink would be made of a plastic polymer treated with a food-grade lubricating solution on the top to reduce friction and give the skaters the feel of natural ice. The rink would measure 30 feet wide by 40 feet long and would be set up eight feet west of the bandstand and

17 feet south of the Santa Cruz County Sanitation pump house building that houses the bathrooms in Esplanade Park.

A skate rental kiosk would be set up 10 feet west of the rink, near the lawn area and the seawall, and one-foot-wide rubber matting for putting on skates and walking to and from the rink would be placed on the beach side of the rink. All sides of the rink would allow sufficient room for wheelchair access. The proposed layout can be seen in Attachment 1.

The rink would have 29-inch tall fencing that could hold advertising banners on the inside and the outside. The Chamber intends to sell banner space to pay for the costs associated with the event. Any profit made would be used to fund future events.

To set the holiday ambiance, patio lights will be hung on the rink walls and spotlights will light up the rink at night. Background holiday music would be played during each skate session in place of the usual Village holiday music. A Christmas tree will be displayed on the bandstand as part of the BIA Village holiday decorations. The BIA plans to work with local schools to arrange for bands to perform on the bandstand during the weekend free play hours.

The rink will be open daily from 10 a.m. to 8 p.m. and include three two-hour sessions at 10 a.m., 2 p.m., and 6 p.m., with up to 40 skaters per session. The lighting and music would be turned off by 8 p.m. each night. Admission will be \$10 and an additional \$5 for skate rentals. Skaters may bring their own skates. A booth may be set up near the skate rental area to distribute free hot chocolate during the event.

The rink vendor, Events and More, would have staff onsite to set up and dismantle the rink and operate the skate sessions, including keeping the area clean. The equipment would be locked up at night for security. A condition of approval has been added requiring monitoring of the bathrooms and emptying of the trash receptacles.

Environmental Review

Section 15304 of the CEQA Guidelines exempts minor alterations to land. Specifically, 15304(e) exempts "Temporary use of land having negligible or no permanent effects on environment, including carnivals, sales of Christmas trees, etc." No adverse environmental impacts were discovered during review of the proposed temporary ice rink.

RECOMMENDATION

Staff recommends that the Planning Commission **approve** application #17-0350 based on the following Conditions and Findings for Approval.

CONDITIONS OF APPROVAL

1. The project approval consists of a coastal development permit for a temporary ice skating rink at Esplanade Park located at 108 Monterey Avenue in the Public Facilities (PF) zoning district and within the Coastal Appeals zone. A development that intensifies the use of a property requires a coastal development permit.
2. The ice skate rink shall be completed per the plans approved by the Planning Commission on October 2, 2017 as conditions.
3. The temporary ice skate rink will operate December 15, 2017 through January 7, 2018 from the hours of 10 am to 8 pm.
4. The Coastal Development Permit for a temporary ice rink in the Capitola Village shall be annually recurring with the authorization of the City of Capitola of a Special Event Permit

and Encroachment Permit. The applicant must notify the Coastal Commission with the exact dates of the event prior to the event occurring.

5. Clean up of all trash within Esplanade Park is the responsibility of the applicant not the City. All trash receptacles must be maintained throughout the day and emptied each night into the City dumpsters. Bathrooms shall be monitored by the applicant and if additional cleanings are necessary the applicant shall coordinate with Public Works.
6. Access to the City dumpsters and County Sanitation must be maintained throughout the event.
7. The application shall be reviewed by the Planning Commission upon evidence of non-compliance with conditions of approval or applicable municipal code provisions.

FINDINGS

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

Community Development Department Staff and the Planning Commission have reviewed the project and support the project as the special event will bring visitors to coast. The coastal development permit for the special event conforms to the requirements of the Local Coastal Program and conditions of approval have been included to carry out the objectives of the Zoning Ordinance, General Plan and Local Coastal Plan.

- B. **This project is categorically exempt under Section 15304 of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.**

Section 15304 (e) of the CEQA Guidelines exempts minor alterations to land including special events. No adverse environmental impacts were discovered during review of the proposed project.

COASTAL FINDINGS

D. Findings Required. A coastal permit shall be granted only upon adoption of specific written factual findings supporting the conclusion that the proposed development conforms to the certified Local Coastal Program, including, but not limited to:

- The proposed development conforms to the City's certified Local Coastal Plan (LCP). The specific, factual findings, as per CMC Section 17.46.090 (D) are as follows:

(D) (2) Require Project-Specific Findings. In determining any requirement for public access, including the type of access and character of use, the city shall evaluate and document in written findings the factors identified in subsections (D) (2) (a) through (e), to the extent applicable. The findings shall explain the basis for the conclusions and decisions of the city and shall be supported by substantial

evidence in the record. If an access dedication is required as a condition of approval, the findings shall explain how the adverse effects which have been identified will be alleviated or mitigated by the dedication. As used in this section, "cumulative effect" means the effect of the individual project in combination with the effects of past projects, other current projects, and probable future projects, including development allowed under applicable planning and zoning.

(D) (2) (a) Project Effects on Demand for Access and Recreation. Identification of existing and open public access and coastal recreation areas and facilities in the regional and local vicinity of the development. Analysis of the project's effects upon existing public access and recreation opportunities. Analysis of the project's cumulative effects upon the use and capacity of the identified access and recreation opportunities, including public tidelands and beach resources, and upon the capacity of major coastal roads from subdivision, intensification or cumulative build-out. Projection for the anticipated demand and need for increased coastal access and recreation opportunities for the public. Analysis of the contribution of the project's cumulative effects to any such projected increase. Description of the physical characteristics of the site and its proximity to the sea, tideland viewing points, upland recreation areas, and trail linkages to tidelands or recreation areas. Analysis of the importance and potential of the site, because of its location or other characteristics, for creating, preserving or enhancing public access to tidelands or public recreation opportunities;

- The ice skate rink will be located in Esplanade Park. The park will remain open to the public and access to the beach and public bathrooms will be maintained.

(D) (2) (b) Shoreline Processes. Description of the existing shoreline conditions, including beach profile, accessibility and usability of the beach, history of erosion or accretion, character and sources of sand, wave and sand movement, presence of shoreline protective structures, location of the line of mean high tide during the season when the beach is at its narrowest (generally during the late winter) and the proximity of that line to existing structures, and any other factors which substantially characterize or affect the shoreline processes at the site. Identification of anticipated changes to shoreline processes at the site. Identification of anticipated changes to shoreline processes and beach profile unrelated to the proposed development. Description and analysis of any reasonably likely changes, attributable to the primary and cumulative effects of the project, to: wave and sand movement affecting beaches in the vicinity of the project; the profile of the beach; the character, extent, accessibility and usability of the beach; and any other factors which characterize or affect beaches in the vicinity. Analysis of the effect of any identified changes of the project, alone or in combination with other anticipated changes, will have upon the ability of the public to use public tidelands and shoreline recreation areas;

- No portion of the project is located along the shoreline or beach. The project is located within Esplanade Park.

(D) (2) (c) Historic Public Use. Evidence of use of the site by members of the general public for a continuous five-year period (such use may be seasonal). Evidence of the type and character of use made by the public (vertical, lateral, blufftop, etc., and for passive and/or active recreational use, etc.). Identification of

any agency (or person) who has maintained and/or improved the area subject to historic public use and the nature of the maintenance performed and improvements made. Identification of the record owner of the area historically used by the public and any attempts by the owner to prohibit public use of the area, including the success or failure of those attempts. Description of the potential for adverse impact on public use of the area from the proposed development (including but not limited to, creation of physical or psychological impediments to public use);

- The special event will be open to the general public.

(D) (2) (d) Physical Obstructions. Description of any physical aspects of the development which block or impede the ability of the public to get to or along the tidelands, public recreation areas, or other public coastal resources or to see the shoreline;

- The proposed project is located within Esplanade Park. Access to the beach and public bathrooms will remain open to the public.

(D) (2) (e) Other Adverse Impacts on Access and Recreation. Description of the development's physical proximity and relationship to the shoreline and any public recreation area. Analysis of the extent of which buildings, walls, signs, streets or other aspects of the development, individually or cumulatively, are likely to diminish the public's use of tidelands or lands committed to public recreation. Description of any alteration of the aesthetic, visual or recreational value of public use areas, and of any diminution of the quality or amount of recreational use of public lands which may be attributable to the individual or cumulative effects of the development.

- The proposed project is located within a City park that will not impact access and recreation. The project does not diminish the public's use of tidelands or lands committed to public recreation nor alter the aesthetic, visual or recreational value of public use areas.

(D) (3) (a – c) Required Findings for Public Access Exceptions. Any determination that one of the exceptions of subsection (F) (2) applies to a development shall be supported by written findings of fact, analysis and conclusions which address all of the following:

a. The type of access potentially applicable to the site involved (vertical, lateral, bluff top, etc.) and its location in relation to the fragile coastal resource to be protected, the agricultural use, the public safety concern, or the military facility which is the basis for the exception, as applicable;

b. Unavailability of any mitigating measures to manage the type, character, intensity, hours, season or location of such use so that agricultural resources, fragile coastal resources, public safety, or military security, as applicable, are protected;

c. Ability of the public, through another reasonable means, to reach the same area of public tidelands as would be made accessible by an access way on the subject land.

- The project is not requesting a Public Access Exception, therefore these findings do not apply.

(D) (4) (a – f) Findings for Management Plan Conditions. Written findings in support of a condition requiring a management plan for regulating the time and manner or character of public access use must address the following factors, as applicable:

a. Identification and protection of specific habitat values including the reasons supporting the conclusions that such values must be protected by limiting the hours, seasons, or character of public use;

- The project is located in a City park..

b. Topographic constraints of the development site;

- The project is located on a flat lot.

c. Recreational needs of the public;

- The project does not impact recreational needs of the public.

d. Rights of privacy of the landowner which could not be mitigated by setting the project back from the access way or otherwise conditioning the development;

e. The requirements of the possible accepting agency, if an offer of dedication is the mechanism for securing public access;

f. Feasibility of adequate setbacks, fencing, landscaping, and other methods as part of a management plan to regulate public use.

(D) (5) Project complies with public access requirements, including submittal of appropriate legal documents to ensure the right of public access whenever, and as, required by the certified land use plan and Section 17.46.010 (coastal access requirements);

- No legal documents to ensure public access rights are required for the proposed project.

(D) (6) Project complies with visitor-serving and recreational use policies;

SEC. 30222

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall

have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

- The proposed project is located within Esplanade Park. Access to the beach and public bathrooms will remain open to the public.

SEC. 30223

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

- The project involves a temporary ice rink open to the public within a public park.

c) Visitor-serving facilities that cannot be feasibly located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

- The project involves a temporary ice rink open to the public within a public park.

(D) (7) Project complies with applicable standards and requirements for provision of public and private parking, pedestrian access, alternate means of transportation and/or traffic improvements;

- The project complies with applicable standards and requirements for provision for parking, pedestrian access, and alternate means of transportation and/or traffic improvements.

(D) (8) Review of project design, site plan, signing, lighting, landscaping, etc., by the city's architectural and site review committee, and compliance with adopted design guidelines and standards, and review committee recommendations;

- The project complies with the design guidelines and standards established by the Municipal Code.

(D) (9) Project complies with LCP policies regarding protection of public landmarks, protection or provision of public views; and shall not block or detract from public views to and along Capitola's shoreline;

- The project will not negatively impact public landmarks and/or public views. The project will not block or detract from public views to and along Capitola's shoreline.

(D) (10) Demonstrated availability and adequacy of water and sewer services;

- The project is located in a City park with available water and sewer services.

(D) (11) Provisions of minimum water flow rates and fire response times;

- The project is located within close proximity of the Capitola fire department. Water is available at the location.

(D) (12) Project complies with water and energy conservation standards;

- The project involves a temporary ice rink open to the public within a public park.

(D) (13) Provision of park dedication, school impact, and other fees as may be required;

- The project involves a temporary ice rink open to the public within a public park.

(D) (14) Project complies with coastal housing policies, and applicable ordinances including condominium conversion and mobile home ordinances;

- The project does not involve a condo conversion or mobile homes.

(D) (15) Project complies with natural resource, habitat, and archaeological protection policies;

- Conditions of approval have been included to ensure compliance with established policies.

(D) (16) Project complies with Monarch butterfly habitat protection policies;

- The project is outside of any identified sensitive habitats, specifically areas where Monarch Butterflies have been encountered, identified and documented.

(D) (17) Project provides drainage and erosion and control measures to protect marine, stream, and wetland water quality from urban runoff and erosion;

- Conditions of approval have been included to ensure compliance with applicable erosion control measures.

(D) (18) Geologic/engineering reports have been prepared by qualified professional for projects in seismic areas, geologically unstable areas, or coastal bluffs, and project complies with hazard protection policies including provision of appropriate setbacks and mitigation measures;

- Conditions of approval have been included to ensure the project applicant shall comply with all applicable requirements of the most recent version of the California Building Standards Code.

(D) (19) All other geological, flood and fire hazards are accounted for and mitigated in the project design;

- Conditions of approval have been included to ensure the project complies with geological, flood, and fire hazards and are accounted for and will be mitigated in the project design.

(D) (20) Project complies with shoreline structure policies;

- The proposed project complies with shoreline structure policies.

(D) (21) The uses proposed are consistent with the permitted or conditional uses of the zoning district in which the project is located;

- This use is permitted with a special events permit issued by the City Council.

(D) (22) Conformance to requirements of all other city ordinances, zoning requirements, and project review procedures;

- The project conforms to the requirements of all city ordinances, zoning requirements and project development review and development procedures.

(D) (23) Project complies with the Capitola parking permit program as follows:

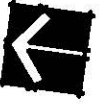
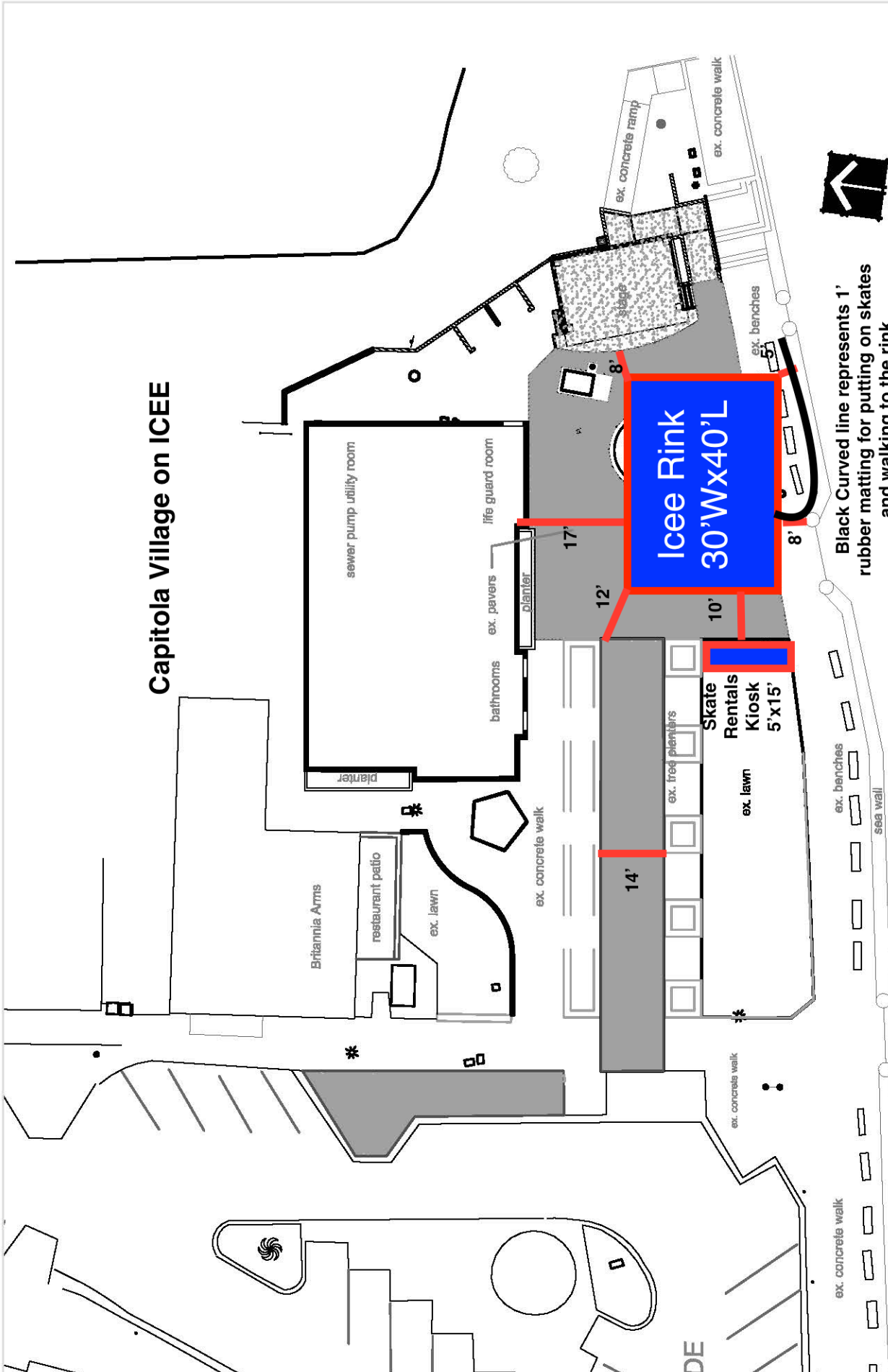
- Visitors will utilize public parking within the Village for the special event.

ATTACHMENTS:

1. 108 Monterey Ice Rink Plan
2. 108 Monterey Avenue iSKATE Capitola Operations Plan

Prepared By: Katie Herlihy
Senior Planner

Capitola Village on ICEE



Black Curved line represents 1' rubber matting for putting on skates and walking to the rink

scale: 1" = 30' - 0"

iSKATE Capitola Operations Plan

iSKATE Capitola is a pop up eco-friendly synthetic ice rink that will be installed on the flat concrete area in front of the stage in Esplanade Park. The rink will be installed, run and managed by employees of Artificial Ice Events. It will be installed on December 15, 2017 and will be removed on January 7, 2018. Below are the operating hours.

Monday through Sunday, three (3), two (2) hour sessions

10am – 12noon

2pm – 4pm

6pm – 8pm

There will be a max of 40 skaters on the ice during each session, max of 120 skaters per day and max of 2880 skaters for the entire 24 days.

Admission will be \$10 per skater and an additional \$5 for skate rentals. Skaters may bring their own skates.

The rink will be lit with led spot lights and patio lights to be installed by Christmas Light Pros of Santa Cruz and Monterey County and paid for by the BIA.

The rink will have a fence that allows for 14 sponsor banners on the inside and 14 sponsor banners on the outside. The BIA will be selling these sponsorship banners and spots to help fund the rink.



STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: OCTOBER 5, 2017
 SUBJECT: **3400 Clares Street #17-054 APN: 034-261-35**

Design Permit, Conditional Use Permit, and Sign Permit with Variance requests for multiple wall signs for a new Olive Garden Restaurant at the location of the former Marie Callender's building located in the CC (Community Commercial) zoning district.

This project is not in the Coastal Zone and does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption

Property Owner: Cypress Properties

Representative: Terry Womack, filed: 4/6/17

APPLICANT PROPOSAL

The applicant is requesting a Design Permit to construct a new 6,989 square foot Olive Garden Restaurant in the location of the previous Marie Callender's restaurant at 3400 Clares Street. The application includes a Conditional Use Permit to serve alcohol on site and a Sign Permit with Variance to allow four wall signs, one on each façade of the building. The property is located along Clares Street within the mall property in the CC (Community Commercial) zoning district.

BACKGROUND

The subject property at 3400 Clares Street was previously a Marie Callender's restaurant. The original restaurant was built in 1994 and operated through 2011. The current application is to demolish the existing building and build a new Olive Garden in the same location.

The Architectural and Site Review Committee reviewed the application on January 11th, 2017 and provided the applicant with the following direction:

Public Works Director, Steve Jesberg: informed the applicant that the stormwater plan was required to pass third party technical review.

Building Official, Brian Van Son: informed the applicant that the to-go parking spaces must comply with ADA requirements.

Local Architect, Frank Phanton: thought the overall design was very nice. He expressed concern with rear elevation due to high visibility along a mall entryway and suggested more articulation in the wall plane and additional windows.

Landscape Architect: Vacant position.

City Planner, Katie Herlihy: suggested replacing concrete with pavers by entryway especially within the 15-foot front landscape area along Clares. She suggested that due to building placement as a stand-alone island in an active shopping district there should not be a perceived rear elevation and echoed the Architect's request for additional windows and articulation.

Following the Architectural and Site Review hearing, the applicant went through several revisions with the third party technical review of stormwater. The applicant also provided two design revision to add additional windows and articulation to the front elevation and the side elevation along the mall entryway.

ZONING SUMMARY

The following table outlines the zoning code requirements for development in the CC (Community Commercial) Zoning District relative to the application, as well as 41st Avenue Design Guidelines.

CC (Community Commercial) Zoning District

Development Standards		Code Standard	Proposed
Height:		40 ft. max	24.5 ft
Front Yard: Landscaped areas of front yards shall be set back fifteen feet in accordance with the 41st Avenue design guidelines.			Complies. Portion of landscape is patio by entryway.
Side and rear yard setbacks may be required through architectural and site approval in order to provide adequate light and air, assure sufficient distance between adjoining uses to minimize any incompatibility and to promote excellence of development; except that where a side or rear yard is provided it shall be at least ten feet wide			No additional setbacks required by the Architectural and Site Committee.
Front yards and corner lot side yards shall not be used for required parking facilities.			Complies.
Parking		Required	Proposed
Restaurant, including all prepared food service	1/60 sf floor area available for dining 1/300 sf all other floor area	Dining Area: 3106 $3106/60 = 51.76$ Other Floor Area: $3600/300 = 12$ Total: 64 spaces	33 onsite 33 common w/mall (3 ADA and 10 compact) Total: 66 spaces
Loading Areas per 17.51			Loading space required for buildings over 10,000 sf. Not Applicable
Landscaping. Five percent of the lot area shall be landscaped to ensure harmony with adjacent development in accordance with architectural and site approval standards			17.88%
Underground Utilities – required with 25% increase area			Required

DISCUSSION

Clares Street is the main circulation route around the north and west sides of the Capitola mall. The new restaurant is proposed in the same location as the existing Marie Callender's. The restaurant location is unique in that it is located on the frontage of Clares Street, when the majority of the properties along the street are set back from the street with parking in front. The Olive Garden has four highly visible facades located centrally within an active retail corridor including the Capitola Mall to the south and Browns Ranch Plaza to the north.

Design Permit:

The applicant is requesting a Design Permit to construct a new 6,989 square foot Olive Garden Restaurant in the location of the previous Marie Callender's restaurant. The existing Maria Callender's restaurant is 6,538 square feet, similar in size to the proposed structure.

The proposed single-story Olive Garden Restaurant has been designed to incorporate a Mediterranean architectural style. The mix of stone veneer exterior with wood windows, doors, and trellises, brick headers over windows and doors, and tile roofing create a unique identity for the standalone restaurant. The landscaping compliments the architecture and color scheme with well-manicured Italian Cyprus around the periphery and a couple olive trees in the open areas. The building is articulated on all sides with insets, roof overhangs, decorative trellises, windows, and doorways.

The applicant went through two design revisions following the architectural and site review committee to provide more articulation in the design along the rear elevation and additional transparency along the right elevation fronting Clares Street. The kitchen is located along these elevations; therefore, the applicant is proposing Spandrel glass windows, that will appear as windows but will not have true transparency. The color and materials board includes a picture of the Spandrel window with a dark tint.

Parking

The CC zone has specific parking requirements for restaurants with 1 space required per 60 square feet of dining area and 1 space per 300 square feet of all other area. The Olive Garden is required to have 64 spaces for the restaurant based on the breakdown of space on the floor plans. The application includes 33 spaces on site, three of which are ADA and 10 compact. An addition 33 spaces are provided through existing shared parking agreements with the mall. A total of 66 parking spaces are included in the application. Five spaces are proposed to be signed for to-go pickup orders, where the patron parks their car for a limited amount of time while they go inside the restaurant to pick up their order.

Condition Use Permit

The applicant is also seeking a conditional use permit for the restaurant and sale of alcohol on site. In issuing a conditional use permit, the Commission may impose requirements and conditions with respect to location, design, siting, maintenance and operation for the particular use, as may be necessary for the protection of the adjacent properties and in the public interest. The subject property is a single use property surrounded by street frontage and parking. There will be no impacts on the surrounding commercial sites as the site is significantly separated from other existing developed sites and all dining is proposed within the building.

Sign Permit

The applicant is proposing one wall sign on each elevation of the restaurant, as well as one projecting sign. The zoning code allows a business that is located adjacent to two streets to have two wall signs, one facing each street. The size of each individual sign is limited to one square foot of sign area for each linear foot of business frontage. Olive Garden is requesting a variance to the limit of two wall signs to allow four wall signs.

Wall signs are limited to one square foot of sign area for each one linear foot of business frontage. The property line is 236 feet wide along Clares Street. The following table provide the breakdown of sign area per elevation.

Elevation	Sign Area	Business Frontage
Front Elevation – West	65 square feet	85 feet
Clares Street Elevation	65 square feet	90 feet
Rear Elevation – East	51 square feet	95 feet
South Elevation	65 square feet	75 feet
	246 square feet	345 feet

Variance

Pursuant to 17.66.090, the Planning Commission may grant a variance permit when it finds that because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings, the strict application of this title is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification; and that the grant of a variance permit would not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which subject property is situated.

There are special circumstances applicable to the subject property including shape, location, and surroundings. The Olive Garden building is a single use building surrounded by a street, an internal circulation drive, and mall parking lots. Each of the facades is highly visible and all sides could be considered frontage. Signs are typically allowed on the side of the building that faces the street and the parking lot. The unique island like location with highly visible from the surrounding parking lots and streets, provide findings for unique circumstances. The finding could be made that the grant of a variance would not constitute a grant of special privileges inconsistent with the limitation upon other properties in the vicinity and zone in which the Olive Garden is due to the unique island site. The surrounding commercial properties have a clear front, side, and rear elevations.

Landscaping

There is a 15-foot landscape strip between Clares Street and the new restaurant. Concrete flatwork is proposed between the sidewalk and the front entryway to create a gathering place with outdoor benches for sitting. The landscaping wraps around the building with the most decorative planting proposed near the drive entry off Clares Street and the front entrance of the restaurant.

General Plan

The proposed new restaurant supports the vision of the Mall outlined in the General Plan. Specifically, Goal LU-8 of the General Plan is “To support the long-term transformation of Capitola Mall into a more pedestrian-friendly commercial district with high quality architecture and outdoor amenities attractive to shoppers and families.” The applicant is proposing high quality architecture with a Tuscan theme on all four sides of the building. The landscaping and public realm improvements of outdoor benches and shade trees near the entryway will create a welcoming aesthetic. There is an existing sidewalk that connects the property to the mall. In the future, during mall redevelopment, the Public Works Director plans to require a new protected pedestrian crosswalk (light signal) to create a closer connection to Brown’s Ranch. The building

placement is along the street as desired in the General Plan and Capitola Mall Re-Visioning Plan.

CEQA

Section 15302(b) of the CEQA Guidelines exempts the replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity. This project involves the replacement of a slightly larger commercial building with the same proposed office use in the CC (Community Commercial) Zoning District.

RECOMMENDATION

Staff recommends the Planning Commission review the application and **approve** project application #17-054, based on the findings and conditions.

CONDITIONS OF APPROVAL

1. The project approval is for the construction of a new, single-story restaurant at 3400 Clares Street. The project consists of the demolition of an existing restaurant, and construction of a new, 6,989 square foot Olive Garden in the same location. There is no maximum lot coverage within the CC (Community Commercial) zoning district, except that parking and front yard open space requirements be met. The project includes a 15-foot front landscape area and sixty-six parking spaces in compliance with CC zone regulations. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on October 5th, 2017, except as modified through conditions imposed by the Planning Commission during the hearing.
2. The applicant received approval of a Conditional Use Permit to serve alcohol on site. State licensing is required prior to serving or sale of alcohol on the site.
3. The applicant received approval of a Variance to allow four wall signs, one on each façade of the building.
4. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans.
5. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
6. At the time of submittal for building permit review, Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP) shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP).
7. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
8. Prior to issuance of building permit, a final landscape plan shall be submitted and approved by the Community Development Department. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of irrigation systems, if proposed. Native and/or drought tolerant species are

recommended. The applicant shall obtain a Landscape Maintenance Agreement with the City prior to building permit issuance.

9. Prior to issuance of building permit, all Planning fees associated with permit #17-054 shall be paid in full.
10. Prior to issuance of building permits, the building plans must show that the existing overhead utility lines will be underground to the nearest utility pole.
11. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Santa Cruz Municipal Water, and Central Fire Protection District.
12. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
13. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
14. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
15. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
16. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
17. Prior to a project final, all cracked or broken driveway approaches or street edge shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches shall meet current Accessibility Standards.
18. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
19. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent

permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.

20. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
21. Upon receipt of certificate of occupancy, garbage and recycling containers shall be shielded and placed out of public view on non-collection days.

FINDINGS

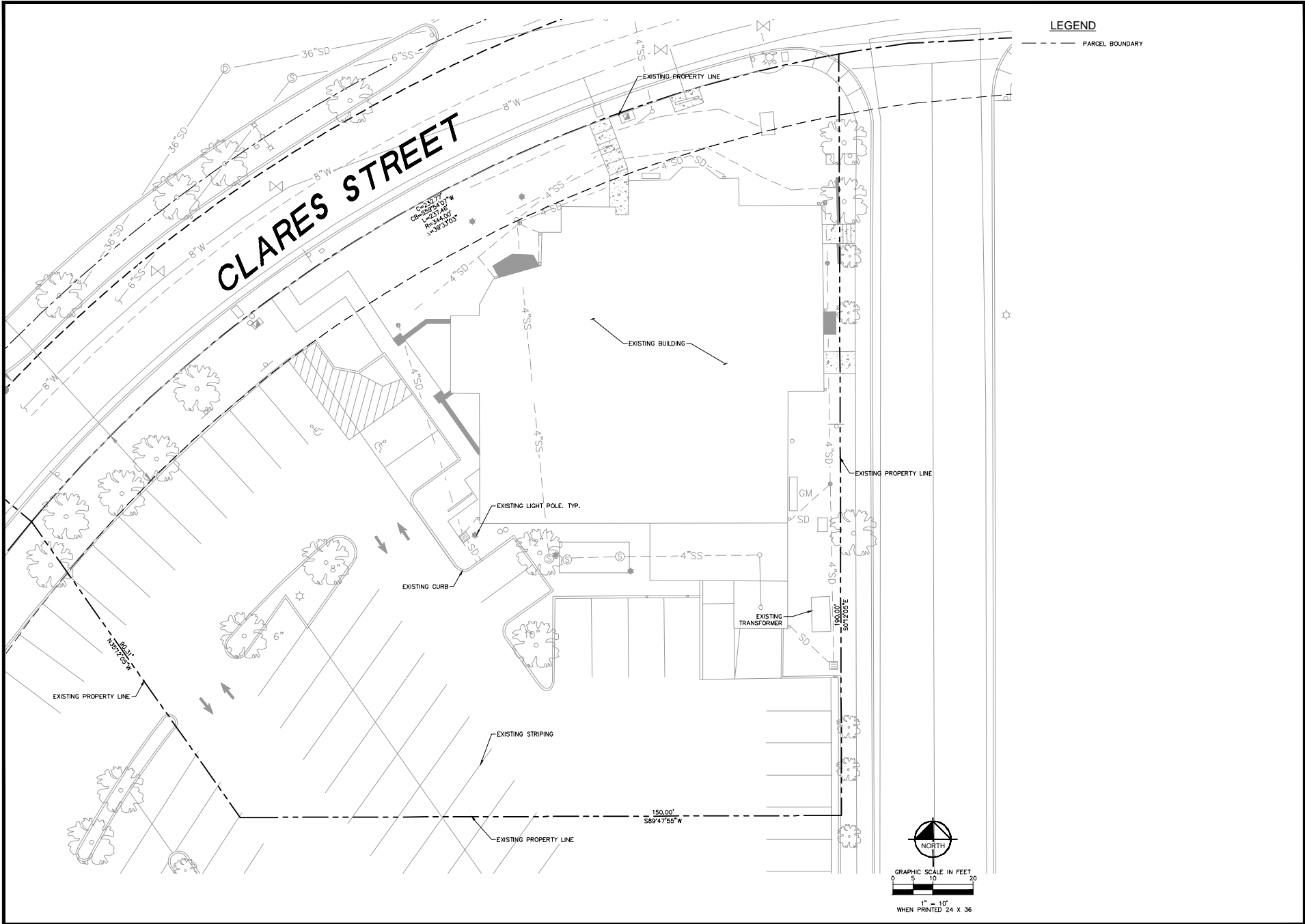
- A. **The application, subject to the conditions imposed, secures the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The proposed restaurant building, supports Goal LU-8 of the General Plan to support the long-term transformation of Capitola Mall into a more pedestrian-friendly commercial district with high quality architecture and outdoor amenities attractive to shoppers and families. There is an existing sidewalk that connects the property to the mall. The building will be finished in a Tuscan theme and provides quality architecture on all four sides. The proposed development, with the conditions imposed, secures the purpose 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 application for a new restaurant. The new building will include high-quality exterior finishes and appropriate landscaping to maintain the character and integrity of the neighborhood. The building would relate well to the surrounding commercial development along 41st Avenue.
- C. **This project is categorically exempt under Section 15302(b) of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.**
Section 15302(b) of the CEQA Guidelines exempts the replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity. This project involves the replacement of a slightly larger commercial building with the same proposed office use in the CC (Community Commercial) Zoning District.
- D. **Special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, exist on the site and the strict application of this title is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification;**
The special circumstances applicable to the property is that the subject property is the site, location and surroundings. The lot is an island within a regional commercial center with high visibility on all sides. The site creates frontage on all four sides of the building as each is highly visible from different perspectives.
- E. **The grant of a variance would not constitute a grant of a special privilege inconsistent with the limitation upon other properties in the vicinity and zone in which subject property is situated.**

This building is unique in that there is frontage on all elevations of the building due access from the parking lot and being located along Clares Street and a mall access road. The other buildings in the vicinity have defined store fronts with side and rear elevations.

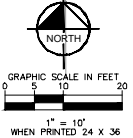
ATTACHMENTS:

1. 3400 Clares Street Plans
2. 3400 Clares Street Color Elevations
3. 3400 Clares Street Sign
4. 3400 Clares Street Variance Request

Prepared By: Katie Herlihy
Senior Planner



LEGEND
 --- PARCEL BOUNDARY



Kimley»Horn

olive

Issue Date:
REVI

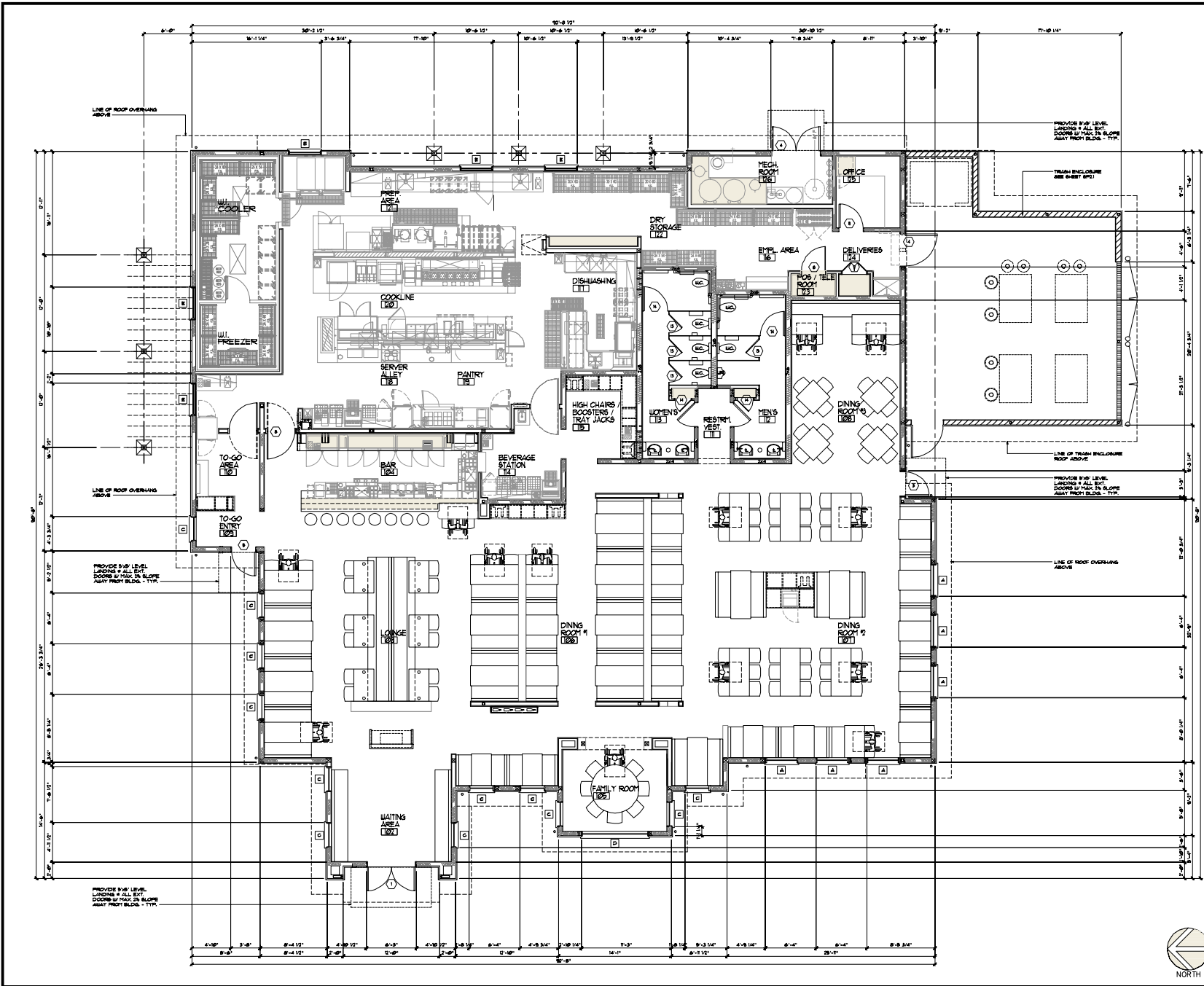
Restaurant
OLIVE C

3400 Cl
Capi
C

Drawing
SUF

C:

Attachment: 3400 Clares Street Plans (3400 Clares Street)



- GENERAL NOTES:**
- GEN. CONTR. TO PROVIDE BATT INSULATION EXTERIOR WALLS AND GREAT GABLE & ALL EXTERIOR ROOM WALLS.
 - ALL VERTICAL WALL CORNERS IN PUBLIC AREAS TO HAVE SQUARE CORNERS BEHIND NO CORNER BRICKS AT LAMBROOT BEING - PLANS TO MATCH ADJACENT WALLS.
 - PROVIDE FIRE EXTINGUISHERS IN WALL CABINETS AS NOTED ON THE APPROVED PLANS FROM THE CITY.
 - ALL EXTERIOR WALLS TO HAVE THE SLIDE & 1" G.C. UNLESS NOTICED OTHERWISE.
 - WALL MORTAR & CORNERS WILL BE CHAMPFERED.
 - ALL SOLE PLATES IN EXTERIOR WALLS TO BE SET IN FULL BED OF WATERPROOF SEALANT.
 - ALL EXTERIOR ARE TO FACE OF STUD UNLESS OTHERWISE.
 - GILL CORNERS TO PROVIDE BLOODING AND TIGHT JUNCTION WALLS - SEE SHEETS A-2, A-3, A-14 FOR LOCATIONS.
 - ALL ROOM OPENINGS FOR THE TRAY JACKS, HIGH CHAIR STORAGE AND THE CABINETS ARE TO HAVE EXPOSED TRAYED WALLS.
 - FOR / TRAY CLOSET: 1 - 2 1/4" x 1/4" x 1/4" WOOD BUSINESS FIRST SHELF # 8 AND SECOND SECOND # 30" G.C. - PAINT (S)

- WALL LEGEND:**
- 2" x 8" WOOD STUDS @ 16" O.C.
 - 2" x 4" WOOD STUDS @ 16" O.C.
 - 2" x 4" WOOD STUDS @ 16" O.C.
 - 2" x 4" WOOD STUDS @ 16" O.C.
 - 2" x 4" WOOD STUDS @ 16" O.C.
 - LOW PARTITION SEE DETAIL FOR IT.

TOTAL SEATS:

DINING	180
LOUNGE	80
BAR	8
TOTAL	268
WAITING	150

BUILDING DATA:

OCCUPANCY GROUP	A-2
CONSTRUCTION TYPE	V-2B
BUILDING HEIGHT	1 STORY
SETEA REQUIRED	2 REQUIRED, 3 PROVIDED
OVERALL SEAT	268 FULLY PREPARED
BUILDING ON	6380 SQ. FT.

C · R · H ·
 Architecture Interior Pln
 185 South "C" Street 2
 Turin, California 92788
 714 835-1337
 FAX 832-1970

CONTRACTOR SHALL VERIFY CONDITIONS AND STAGING AT THE JOB SITE AND NOTIFY THE ARCHITECT OF ANY CHANGES IMMEDIATELY BY E-MAIL WRITING CHANGES OR NOTING CHANGES BY HAND ON FABRICATING OF DO NOT SCALE DRAWING

ARCHITECTS PRO. JOB # 16

Attachment: 3400 Clares Street Plans (3400 Clares Street)



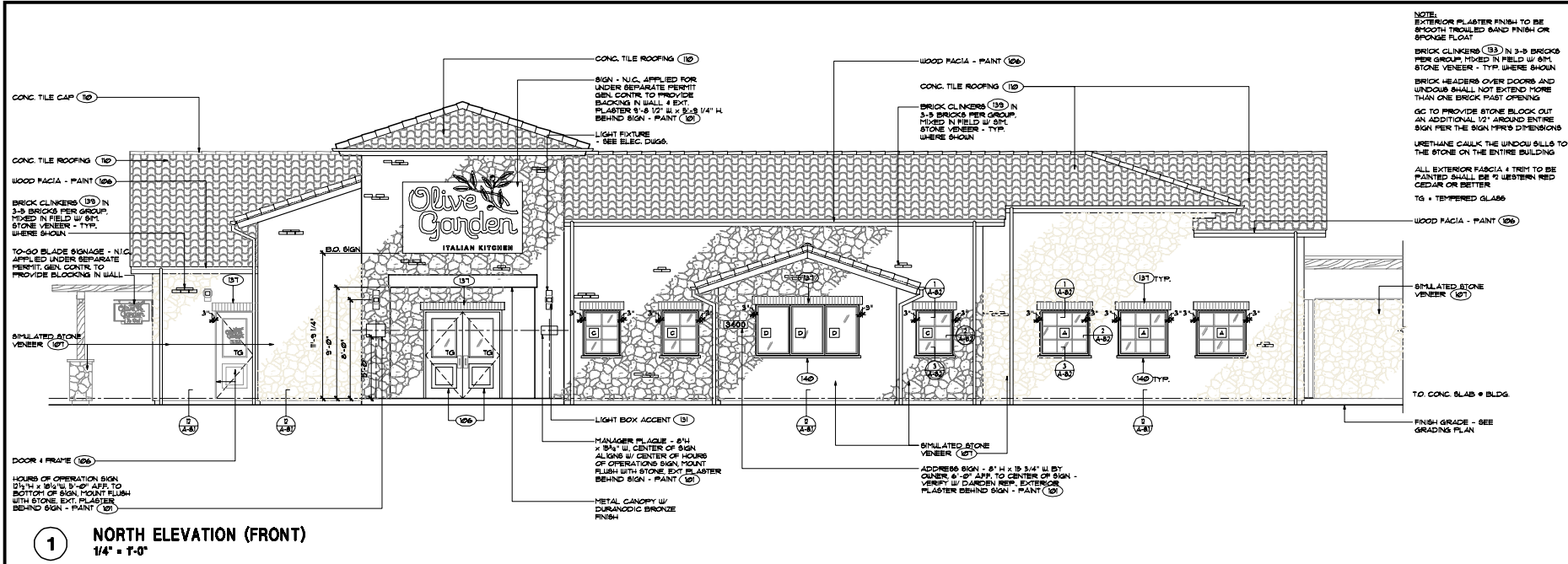
Issue Date: 12-0
 REVISION
 Restaurant #: 640
 OLIVE GARD

3400 Clares Street
 Capitola, CA 95010
 Drawing
 FLOOR PLAN

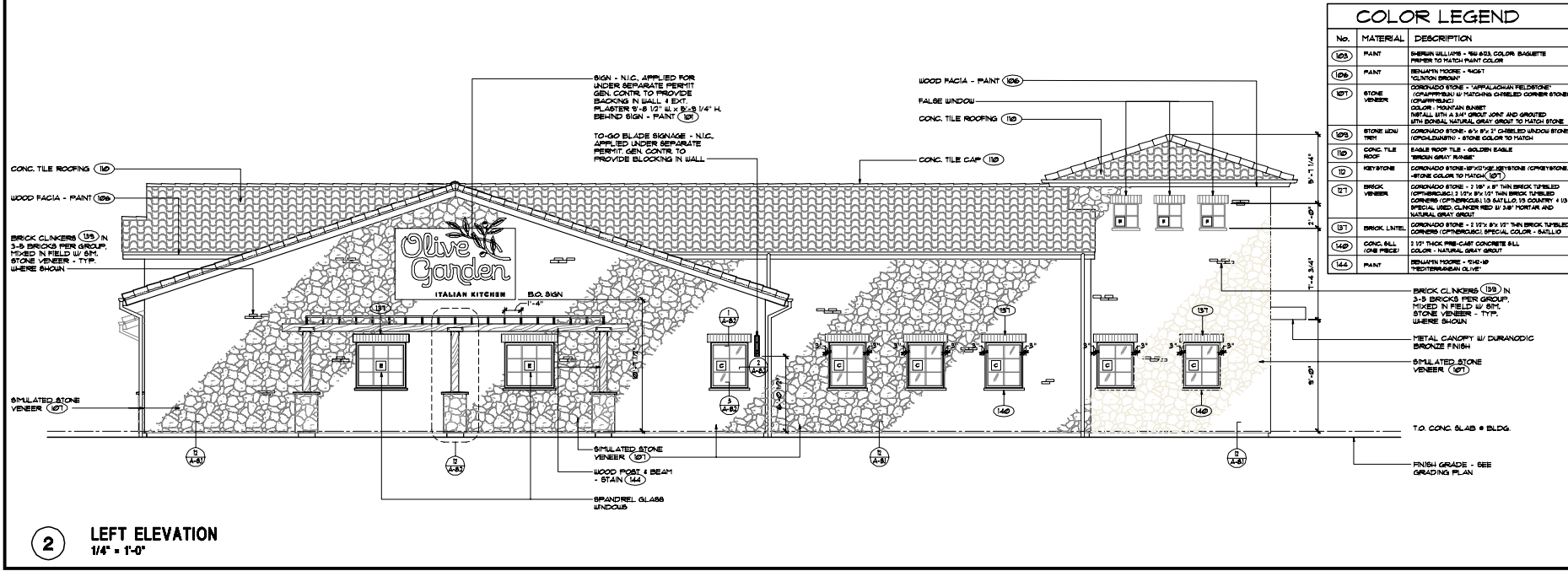
A-1



DIMENSIONED FLOOR PLAN



1 NORTH ELEVATION (FRONT)
1/4" = 1'-0"



2 LEFT ELEVATION
1/4" = 1'-0"

COLOR LEGEND		
No.	MATERIAL	DESCRIPTION
(105)	PAINT	BEHNER WILLIAMS - 950 003 COLOR BAGNETTE PREFER TO MATCH PAINT COLOR
(106)	PAINT	BENHART MOORE - 14621 "CLAYTON BROWN"
(107)	STONE VENEER	CORONADO STONE - "MIMALOGAN FIELDSTONE" (COMPARABLE W/ MATCHING CORNELL CORNER STONE) (CONCRETE) COLOR: MOUNTAIN BARNET METALL WITH A 3/4" GROUT JOINT AND GROUTED WITH BONA NATURAL GREAT GROUT TO MATCH STONE
(108)	STONE MOUNT	CORONADO STONE - 8" BY 12" CHAMFERED WINDOW STONES (CONCRETE) - STONE COLOR TO MATCH
(109)	SHALE ROOF TILE	"GOLDEN EAGLE" SHALE GREAT RANGE
(110)	KEYSTONE	CORONADO STONE - 8" BY 12" THIN BRICK TUBED CORNERS (CONCRETE) - STONE COLOR TO MATCH (107)
(111)	BRICK VENEER	CORONADO STONE - 2 1/2" BY 8" THIN BRICK TUBED (CONCRETE) 1 1/2" BY 1 1/2" THIN BRICK TUBED CORNERS (CONCRETE) BATTLE TO COAST # 113 SPECIAL UNED CLINKER RED W/ 3/8" JOINTS AND NATURAL GREAT GROUT
(112)	BRICK LITTEL	CORONADO STONE - 1 1/2" BY 1 1/2" THIN BRICK TUBED CORNERS (CONCRETE) SPECIAL COLOR - BATTLE
(140)	CONC. BALL (ONE PIECE)	1 1/2" THICK ONE-PIECE CONCRETE BALL COLOR - NATURAL GREAT GROUT
(144)	PAINT	BENHART MOORE - 716-14P "MICHIGANIAN GLAZED"

C · R · H ·
Architecture Interior Plc
185 South "C" Street #2
Tustin, California 92780
714 832-1834
141 832-1910

CONTRACTOR SHALL VERIFY CONDITIONS AND STRONG AT THE JOB SITE AND NOTIFY THE ARCHITECT OF ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK OR SUBSTITUTING ANY MATERIALS.
ARCHITECTS' PRO- JOB #



Issue Date: 12-0

REVISION

- ▲
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Restaurant #: 640

OLIVE GARD

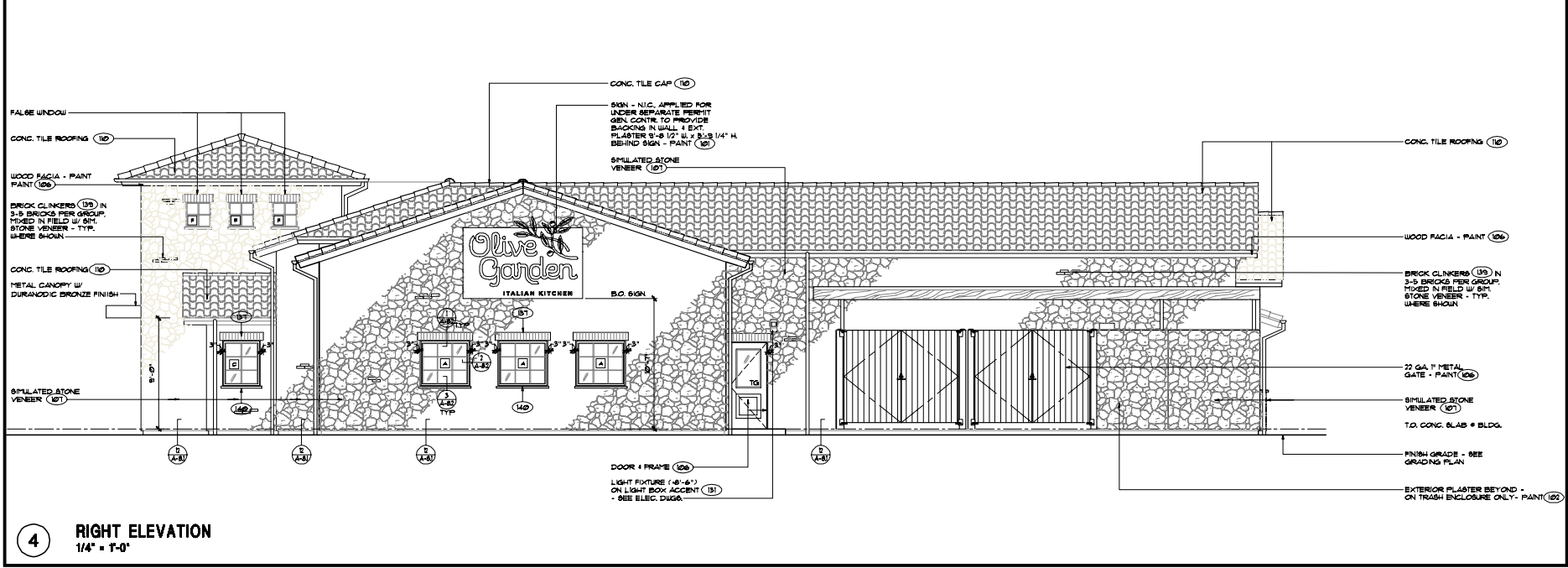
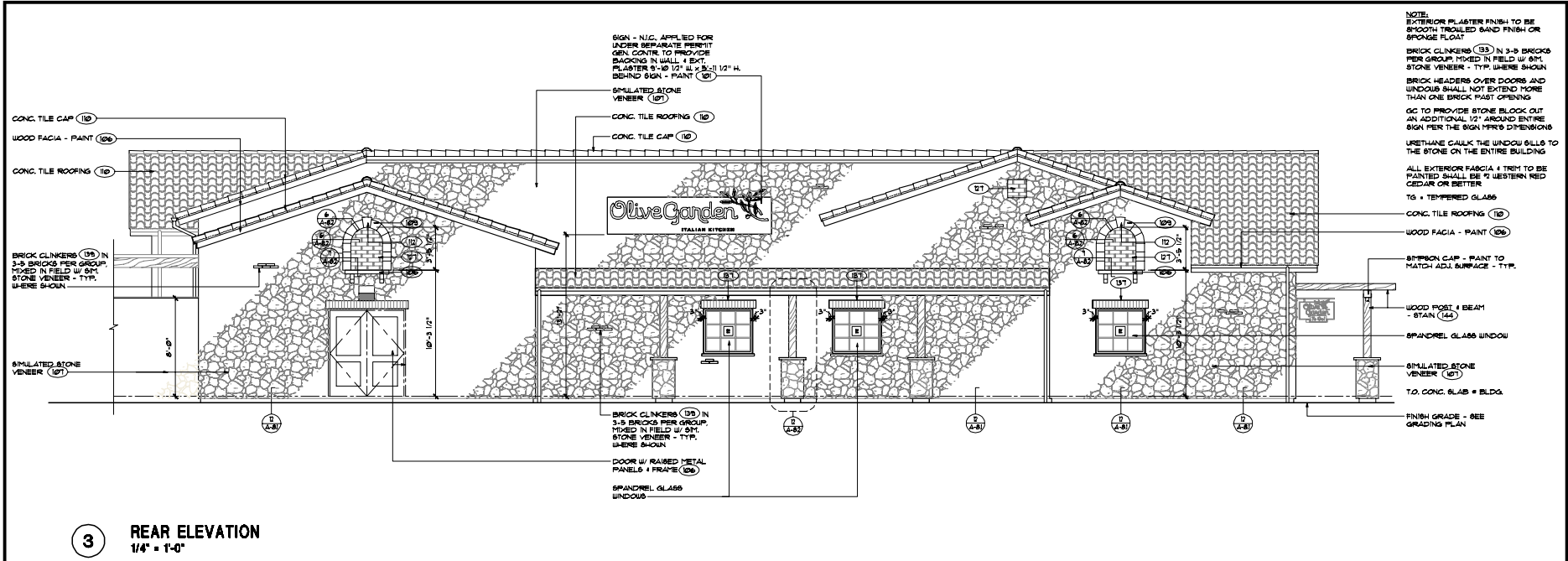
3400 Clares Street
Capitola, CA 95010

Drawing

EXTERIOR ELEVATION

A-5.1

Attachment: 3400 Clares Street Plans (3400 Clares Street)



C · R · H ·
Architecture Interior Plan
186 South "C" Street 2
Tustin, California 92780
714 832-1337
141 832-1910

CONTRACTOR SHALL VERIFY CONDITIONS AND STRONG AT THE JOB SITE AND NOTIFY THE ARCHITECT OF ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK OR SUBSTITUTING ANY MATERIALS OR FINISHES
ARCHITECTS PRO. JOB # _____



Issue Date: 12-0

REVISION
▲
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▲

Restaurant #: 640

OLIVE GARD

3400 Clares Street
Capitola, CA 95010

Drawing
EXTERIOR ELEVATION

A-5.:

Attachment: 3400 Clares Street Plans (3400 Clares Street)



107 - STONE VENEER (w/ #133 Brick Clinkers) Coronado Stone "Appalachian Fieldstone" w/ matching chiseled corner stones
Color: "Mountain Sunset"
Grout: Natural Gray



110 - CONC. ROOF TILE
Eagle Roof Tile Capistran
"Olive Garden Blend"

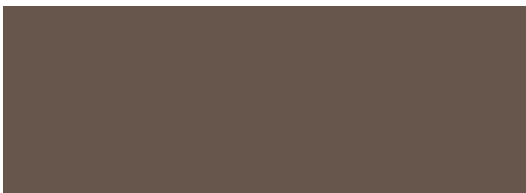
133 - BRICK CLINKERS
Coronado Stone
2-1/8" x 8" Thin Brick Tumbled
w/ 3/8" Mortar Joint



102 - PAINT @ EXTERIOR WALLS
Benjamin Moore - HC74
Valley Forge Brown



SPANDREL GLASS WINDOW



106 - PAINT @ WOOD TRIM, WINDOWS & DOORS
Benjamin Moore "Clinton Brown"



144 - PAINT @ WOOD TRELLIS
Benjamin Moore #2142-10
Color: Mediterranean Olive

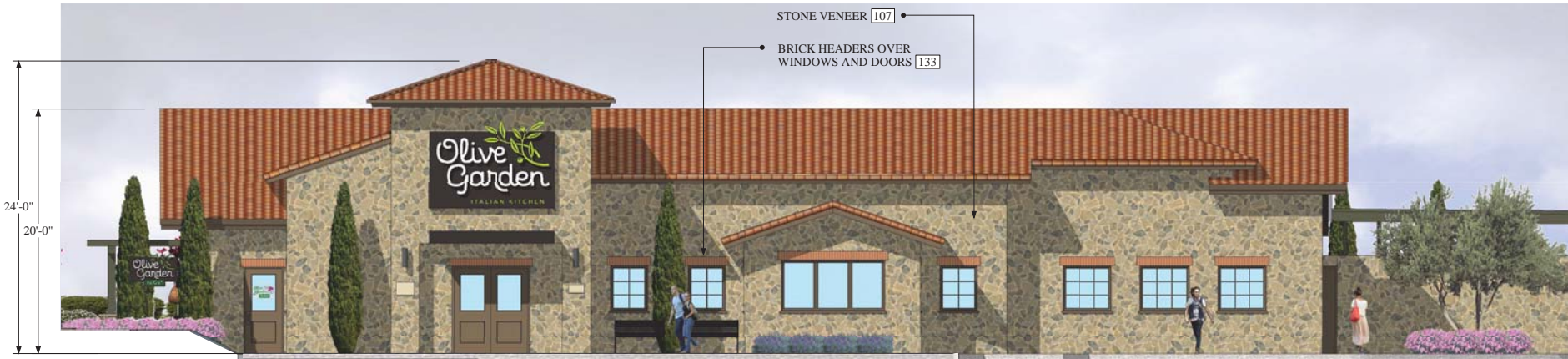
Attachment: 3400 Clares Street Plans (3400 Clares Street)

Colors & Materials

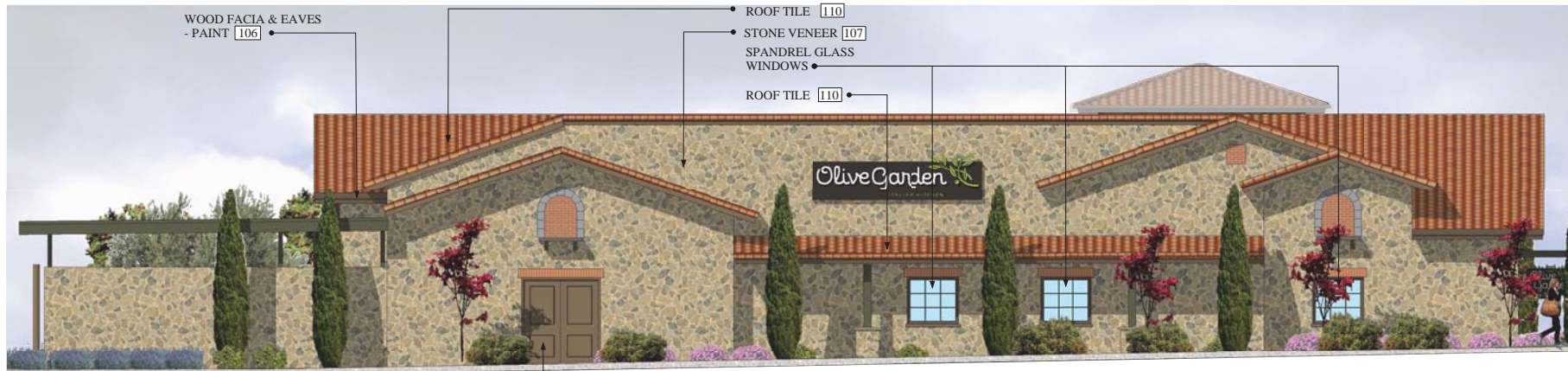
3400 Clares Street Capitola, CA 95010

September 21, 2017





FRONT ELEVATION



REAR ELEVATION

Attachment: 3400 Clares Street Color Elevations (3400 Clares Street)



File Name: 16-111_Color Elevations OPTION 4

ITALIAN RESTAURANT

CAPITOLA, CA



MATERIAL LEGEND

- 106 PAINT @ WOOD TRIM, WINDOWS & DOORS
Benjamin Moore "Clinton Brown"
- 107 STONE VENEER (#133 Brick Clinkers) - Coronado Stone
"Appalachian Fieldstone" w/ matching chiseled corner stones
Color: "Mountain Sunset" Grout: Natural Gray
- 110 CONCRETE ROOF TILE
Eagle Roof Tile - Capistrano "Olive Garden Blend"
- 133 BRICK CLINKERS - Coronado Stone
2-1/8" x 8" Thin Brick Tumbled w/ 3/8" Mortar Joint
- 144 STAIN @ WOOD TRELLIS
Benjamin Moore - Mediterranean Olive #2142-10
Satin Finish

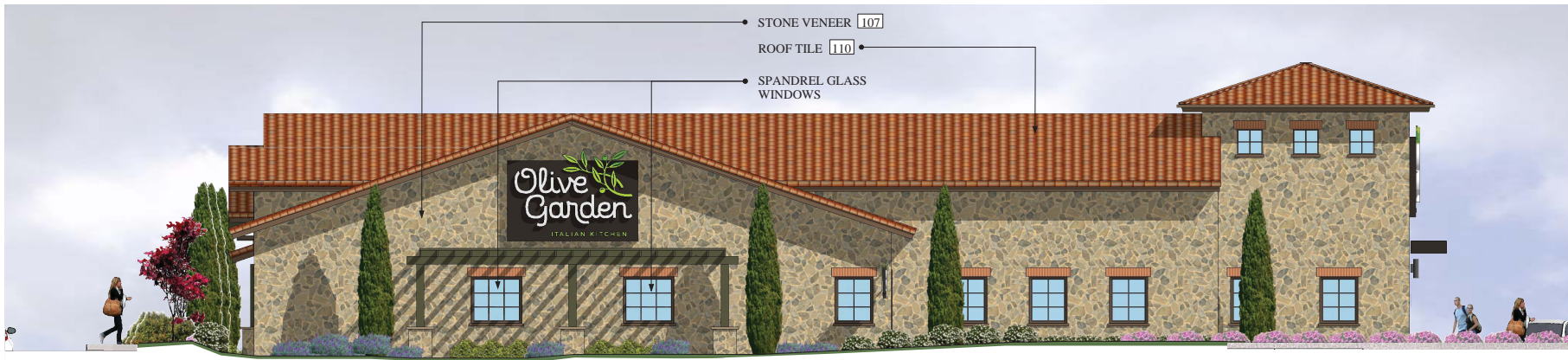
For: D: Restaurants
Orlando, FL
7 245 4000

By: (Architects
Justin, CA
832 1834

Sheet 1 of 3
revised: 9-18-17



RIGHT ELEVATION



LEFT ELEVATION

Attachment: 3400 Clares Street Color Elevations (3400 Clares Street)



File Name: 16-111_Color Elevations OPTION 4

ITALIAN RESTAURANT CAPITOLA, CA



MATERIAL LEGEND

- 106 PAINT @ WOOD TRIM, WINDOWS & DOORS
Benjamin Moore "Clinton Brown"
- 107 STONE VENEER (#133 Brick Clinkers) - Coronado Stone
"Appalachian Fieldstone" w/ matching chiseled corner stones
Color: "Mountain Sunset" Grout: Natural Gray
- 110 CONCRETE ROOF TILE
Eagle Roof Tile - Capistrano "Olive Garden Blend"
- 133 BRICK CLINKERS - Coronado Stone
2-1/8" x 8" Thin Brick Tumbled w/ 3/8" Mortar Joint
- 144 STAIN @ WOOD TRELLIS
Benjamin Moore - Mediterranean Olive #2142-10
Satin Finish

For: Restaurants
D: Orlando, FL
7 245 4000

By: Architects
(Fustin, CA
832 1834

heet 2 of 3
evised: 9-18-17



3D VIEW - CLARES STREET

Attachment: 3400 Clares Street Color Elevations (3400 Clares Street)



File Name: 16-111_Color Elevations OPTION 4

ITALIAN RESTAURANT

CAPITOLA, CA



MATERIAL LEGEND

- 106 PAINT @ WOOD TRIM, WINDOWS & DOORS
Benjamin Moore "Clinton Brown"
- 107 STONE VENEER (#133 Brick Clinkers) - Coronado Stone
"Appalachian Fieldstone" w/ matching chiseled corner stones
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2-1/8" x 8" Thin Brick Tumbled w/ 3/8" Mortar Joint
- 144 STAIN @ WOOD TRELLIS
Benjamin Moore - Mediterranean Olive #2142-10
Satin Finish

For: Restaurants
Orlando, FL
7245 4000

By: Architects
Justin, CA
4832 1834

Sheet 3 of 3
Revised: 9-18-17



Critical Issues:

- Landlord Approval Required
- Planning Commission approval required for proposed signs prior to standard permitting process.
- Variance required to erect left, right and rear elevation wall signage.
 - Only one (1) wall sign is permitted per business
- Per REA, an individual monument sign is not permitted for site.



3400 Clares Ave.
Capitola, CA

Store #TBD

January 25, 2016 - INITIAL

**Landlord Approval,
Planning Commission Approval,
and Variance Required**

Attachment: 3400 Clares Street Sign (3400 Clares Street)



Ph: 1 . 800 . 599 . 7696
Fax: 1 . 574 . 237 . 6166
www.siteenhancementservices.com

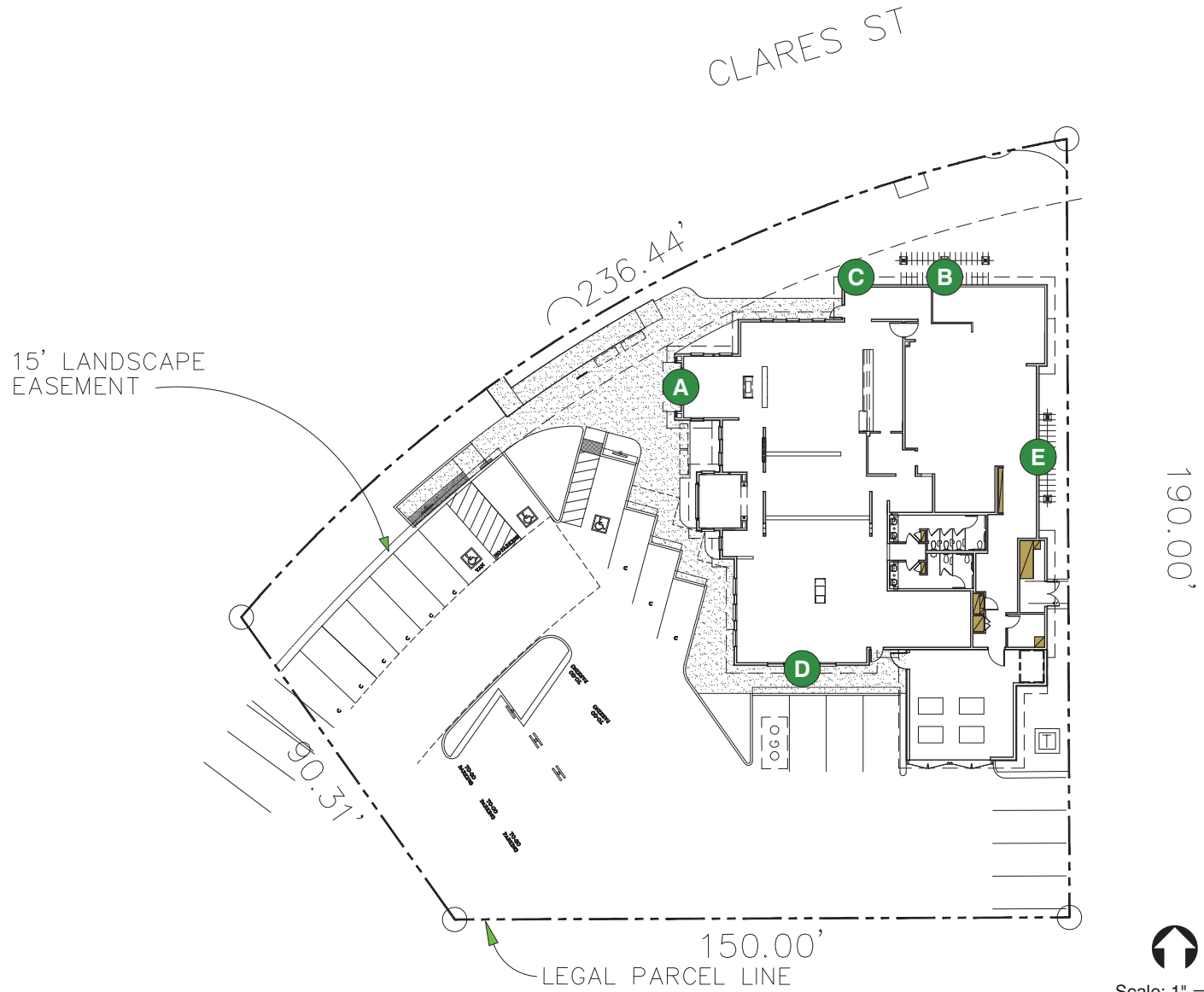
REVISIONS:

- Rev 1: 02/12/16 - Inserted new elevations, updated sign recs
- Rev 2: 11/07/16 - Inserted new elevations & site plan, updated sign recs
- Rev 3: 03/17/17 - New elevations/site plan, switched to-go blade location, chg rear to linear
- Rev 4: 09/27/17 - Inserted new elevations

Site Plan

Store #TBD

- A** 6'-8 1/4" x 9'-8 1/2" Wall Sign: 64.92 SF
- B** 6'-8 1/4" x 9'-8 1/2" Wall Sign: 64.92 SF
- C** 2'-4" x 3'-5" Blade Sign: 6.5 SF
- D** 6'-8 1/4" x 9'-8 1/2" Wall Sign: 64.92 SF
- E** 3'-9" x 13'-5" Wall Sign: 50.31 SF



Attachment: 3400 Clares Street Sign (3400 Clares Street)

Scale: 1" = 40'

Code allows each business one (1) wall sign. Each wall sign NTE one (1) SF per each linear foot of business frontage. 65% chance of approval.

Landlord, Planning Commission Approval Required

Front Elevation

Store #TBD

SVI Rating: TBD

Photo Reference: #1

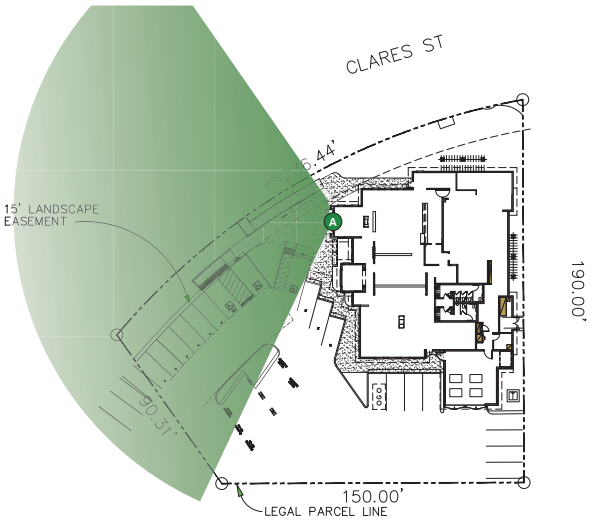


Measurements based on architectural plans provided. Measurements to be field verified.

Scale: 1/16"=1'



65 SF Wall Sign
Utilized Square Footage: 64.92 | Allowed Square Footage: 93
Scale: 3/8"=1'



Attachment: 3400 Clares Street Sign (3400 Clares Street)

Code allows each business one (1) wall sign. Each wall sign NTE one (1) SF per each linear foot of business frontage. 55% chance of approval.

Landlord, Planning Commission Approval, & Variance Required

Left Elevation

Store #TBD

SVI Rating: TBD

Photo Reference: #2

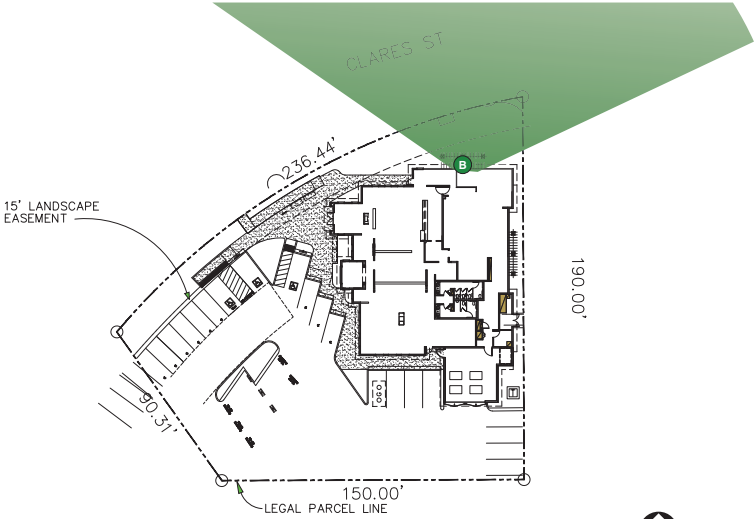


Measurements based on architectural plans provided.
Measurements to be field verified.

Scale: 1/16"=1'



65 SF Wall Sign
Utilized Square Footage: 64.92 | Allowed Square Footage: 0
Scale: 3/8"=1'



Attachment: 3400 Clares Street Sign (3400 Clares Street)

Code allows each business one (1) wall sign. Each wall sign NTE one (1) SF per each linear foot of business frontage. 45% chance of approval.

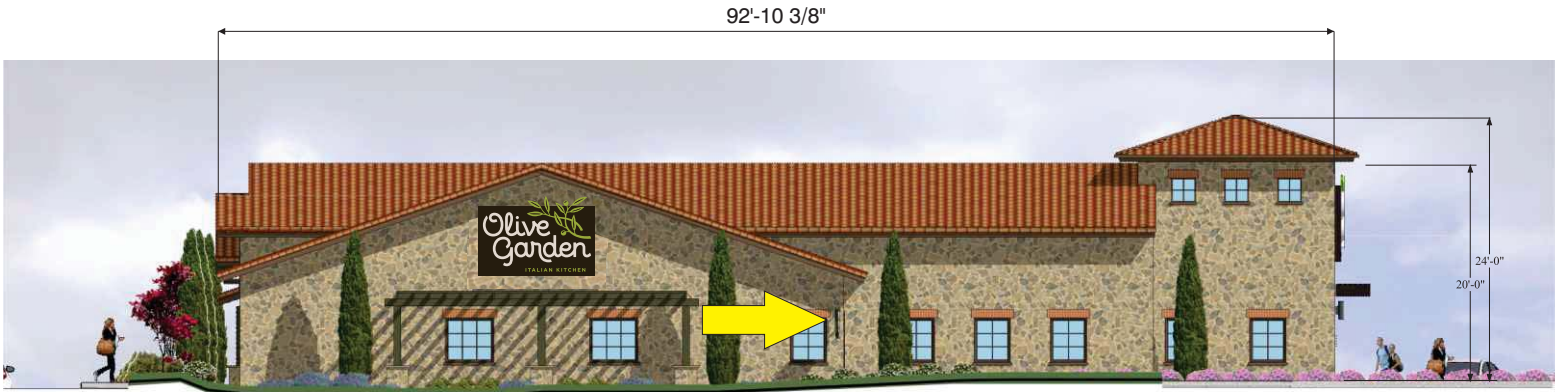
Landlord, Planning Commission Approval, & Variance Required

Left Elevation

Store #TBD

SVI Rating: TBD

Photo Reference: #2

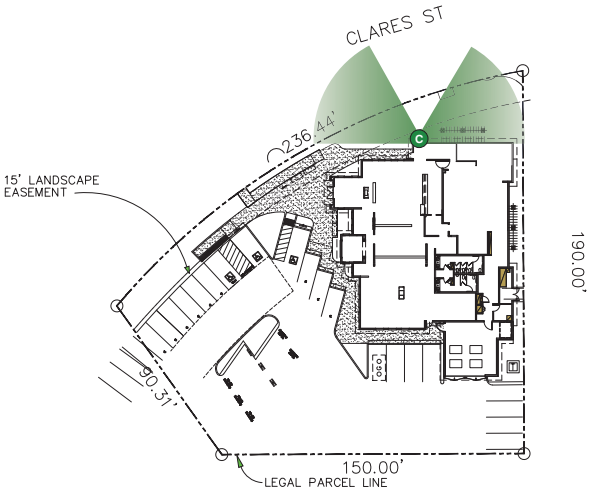


Measurements based on architectural plans provided. Measurements to be field verified.

Scale: 1/16"=1'



6.5 SF Blade Sign
Utilized Square Footage: 6.5 | Allowed Square Footage: 0
Scale: 3/4"=1'



Attachment: 3400 Clares Street Sign (3400 Clares Street)

Code allows each business one (1) wall sign. Each wall sign NTE one (1) SF per each linear foot of business frontage. 60% chance of approval.

Landlord, Planning Commission Approval, & Variance Required

Right Elevation

Store #TBD

SVI Rating: TBD

Photo Reference: #3

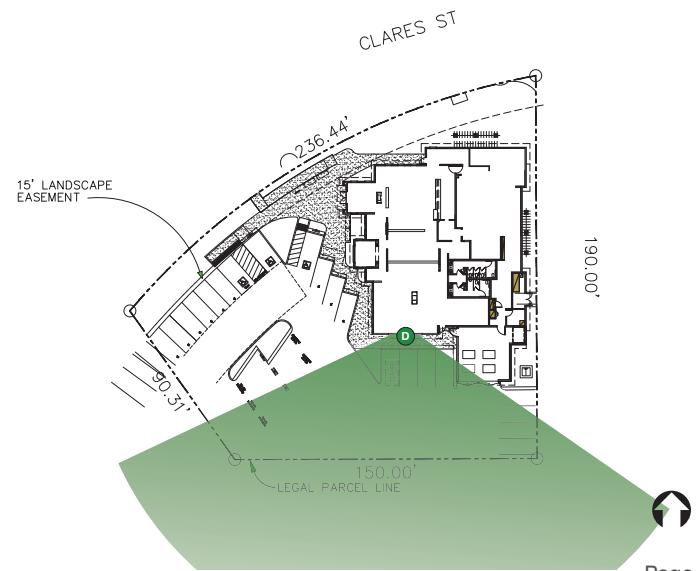


Measurements based on architectural plans provided. Measurements to be field verified.

Scale: 1/16"=1'



65 SF Wall Sign
Utilized Square Footage: 64.92 | Allowed Square Footage: 0
Scale: 3/8"=1'



Attachment: 3400 Clares Street Sign (3400 Clares Street)

Code allows each business one (1) wall sign. Each wall sign NTE one (1) SF per each linear foot of business frontage. 45% chance of approval.

Landlord, Planning Commission Approval, & Variance Required

Rear Elevation

Store #TBD

SVI Rating: TBD

Photo Reference: #4

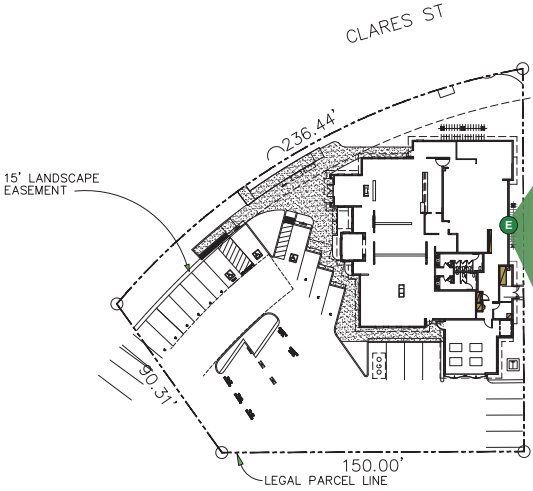


Scale: 1/16"=1'

Measurements based on architectural plans provided.
Measurements to be field verified.



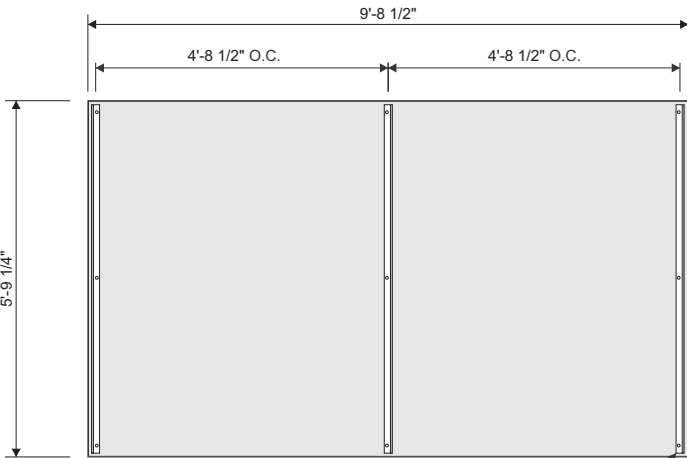
50 SF Linear Wall Sign
Utilized Square Footage: 50.31 | Allowed Square Footage: 0
Scale: 3/8"=1'



Attachment: 3400 Clares Street Sign (3400 Clares Street)

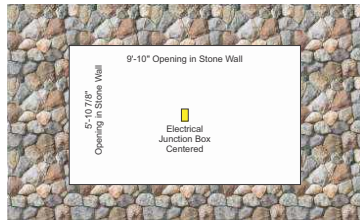


W65 - Wall Sign - 64.92 sq ft
SCALE: 1/2" = 1'-0"



Mounting Points
SCALE: 1/2" = 1'-0"

1 1/2" Aluminum Angle
Vertical Weld to Frame



OPENING IN STONE WALL FOR W65-INSET
OPENING IN WALL:
Opening in wall to be 1" larger vertically and horizontally than the cabinet dimensions

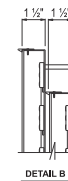
OLIVE GARDEN NOTES

- .063 WHITBLK ALUM BACKS
- .040 ALUM RETURNS STAPLED
- K-LATH SCREWS
- 3/4" GEMINI WARM GREY TRIMCAP
- .177 WHITE SG 10 FACES
- MFGD. BY PLASTILITE
- SURFACE APPLIED TRANSLUCENT VINYL 3M 3630-0450 WARM GREY
- GEMM41 LED'S
- GEM TRIM, RETURNS, SCREWS, AND BACKS TO BE PMS 1C WARM GREY



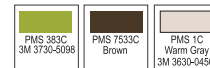
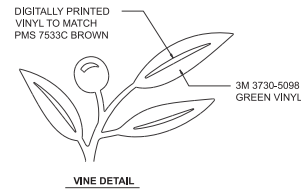
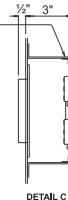
VINE NOTES

- .063 WHITBLK ALUM BACKS
- 1 1/2" .050 ALUM STAPLED RETURNS
- K-LATH SCREWS
- 1 3/4" STANDOFFS PAINTED PMS 7533 BROWN
- 3/4" GEMINI TRIM CAP
- SURFACE APPLIED TRANSLUCENT VINYL 3M 3730-5098 GREEN
- GEMM71 LED'S
- .177 WHITE SG 10 FACES
- MFGD. BY PLASTILITE
- GEM TRIM, RETURNS, SCREWS, AND BACKS TO BE PMS 383C GREEN

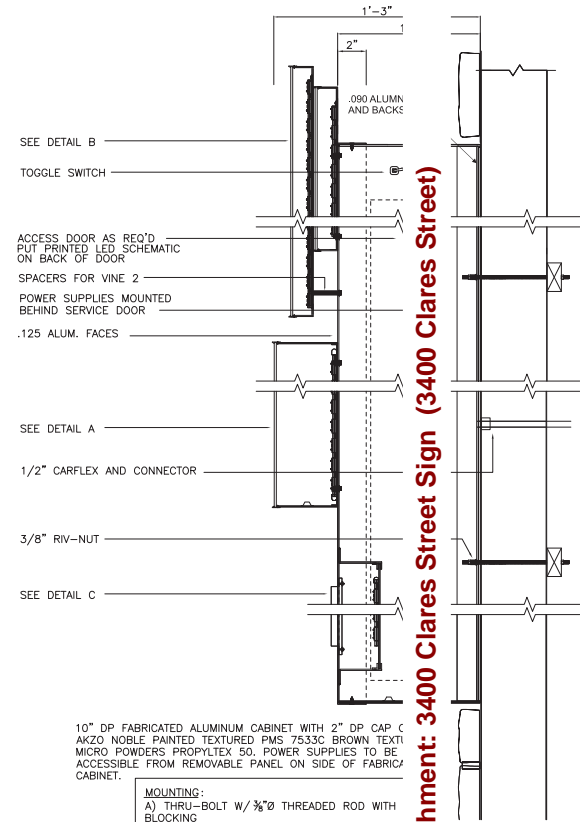


ITALIAN KITCHEN NOTES

- BENT .063 ALUM POP RIVIT TO BENT .090 ALUM
- .090 ALUM REMOVEABLE PANEL FOR SERVICING LED'S
- 3/4" CLEAR ACRYLIC PUSH-THRU COPY W/ 3730-5098 GREEN VINYL ON FACE AND PMS 383C GREEN PAINTED RETURNS
- GEMM71 LED'S
- .090 ALUM FACE



**3/4" CUSTOM COLOR TRIMCAP FROM GEMINI FOR GREEN & GRAY TO BE DEVELOPED (PART # NOT ASSIGNED YET.)



10" DP FABRICATED ALUMINUM CABINET WITH 2" DP CAP AKZO NOBLE PAINTED TEXTURED PMS 7533C BROWN TEXTILE MICRO POWDERS PROPYLEX 50. POWER SUPPLIES TO BE ACCESSIBLE FROM REMOVEABLE PANEL ON SIDE OF FABRICATED CABINET.

- MOUNTING:**
A) THRU-BOLT W/ 3/8"Ø THREADED ROD WITH BLOCKING
B) TOGGLES OR LAGS ARE ONLY TO BE USED IN EMERGENCY SITUATIONS

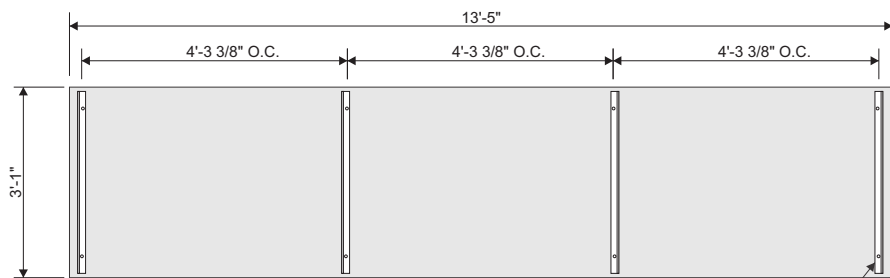
Attachment: 3400 Clares Street Sign (3400 Clares Street)

-TAP POWER SUPPLY
-EQU-NA
77V -.65/29 AMPS EA

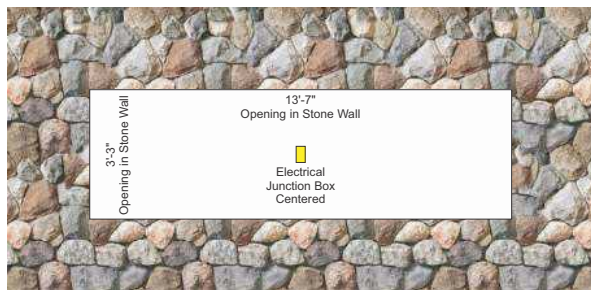
INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF THE NATIONAL ELECTRICAL CODE AND ALL OTHER APPLICABLE LOCAL ORDINANCES. INCLUDES PROPER GROUNDING OF THE SIGN.



L50 - Wall Sign - 50.31 sq ft
SCALE: 1/2" = 1'-0"



Mounting Points
SCALE: 1/2" = 1'-0"



OPENING IN STONE WALL FOR L50-INSET
OPENING IN WALL:
Opening in wall to be 1" larger vertically and horizontally than the cabinet dimensions



OLIVE GARDEN NOTES

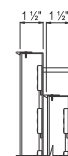
- .063 WHITBLK ALUM BACKS
- .040 ALUM RETURNS STAPLED
- K-LATH SCREWS
- 3/4" GEMINI WARM GREY TRIMCAP
- .177 WHITE SG 10 FACES
- MFGD. BY PLASTILITE
- SURFACE APPLIED TRANSLUCENT VINYL 3M 3630-0450 WARM GREY
- GEMX41 LED'S
- GEM TRIM, RETURNS, SCREWS, AND BACKS TO BE PMS 1C WARM GREY



DETAIL A

VINE NOTES

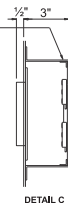
- .063 WHITBLK ALUM BACKS
- 1 1/2" .050 ALUM STAPLED RETURNS
- K-LATH SCREWS
- 1 3/4" STANDOFFS PAINTED PMS 7533 BROWN
- 3/4" GEMINI TRIM CAP
- SURFACE APPLIED TRANSLUCENT VINYL 3M 3730-5098 GREEN
- GEMM71 LED'S
- .177 WHITE SG 10 FACES
- MFGD. BY PLASTILITE
- GEM TRIM, RETURNS, SCREWS, AND BACKS TO BE PMS 383C GREEN



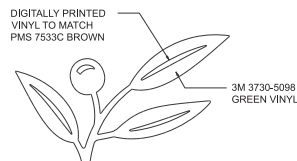
DETAIL B

ITALIAN KITCHEN NOTES

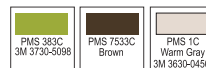
- BENT .063 ALUM POP RIVIT TO BENT .090 ALUM
- .090 ALUM REMOVEABLE PANEL FOR SERVICING LED'S
- 3/4" CLEAR ACRYLIC PUSH-THRU COPY W/ 3730-5098 GREEN VINYL ON FACE AND PMS 383C GREEN PAINTED RETURNS
- GEMM71 LED'S
- .090 ALUM FACE



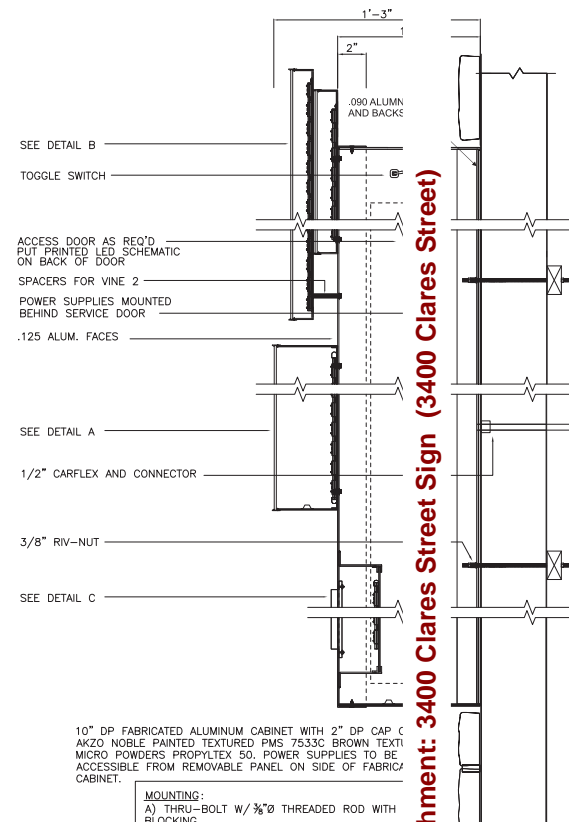
DETAIL C



VINE DETAIL



**3/4" CUSTOM COLOR TRIMCAP FROM GEMINI FOR GREEN & GRAY TO BE DEVELOPED (PART # NOT ASSIGNED YET.)




MOUNTING:
A) THRU-BOLT W/ 3/8"Ø THREADED ROD WITH BLOCKING
B) TOGGLES OR LAGS ARE ONLY TO BE USED IN EMERGENCY SITUATIONS

Attachment: 3400 Clares Street Sign (3400 Clares Street)

-TAP POWER SUPPLY
-EQU-NA
77V -.65/29 AMPS EA

INTENDED TO BE INSTALLED IN WITH THE REQUIREMENTS OF OF THE NATIONAL ELECTRICAL & OTHER APPLICABLE LOCAL INCLUDES PROPER GROUNDING 1 OF THE SIGN

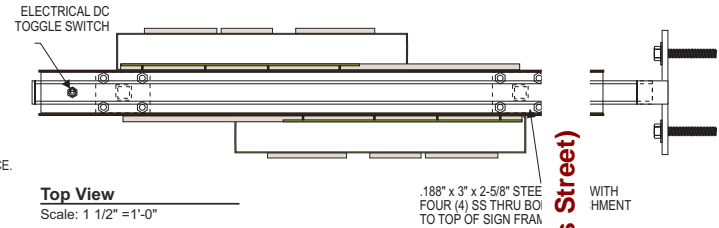
Attachment: 3400 Clares Street Sign (3400 Clares Street)

Tetra® LED Systems		MATERIAL ESTIMATE				Drwg #: 039583; 03		
CUSTOMER INFORMATION		*** SPECIAL INSTRUCTIONS				Tetra® MAX		
ESTIMATE FOR ONE SIDE OF SIGN ONLY						GEMX41;1		
						Tetra® miniMAX		
						GEMM71;1		
						Tetra® miniMAX MS		
						GEMS71;1		
1) THE GRAPHICS BELOW ARE FOR REFERENCE ONLY and not to be used for commercial quotation and without validation. The material estimates for Tetra® LED Systems are based upon our engineering standards and information provided pertaining to font, letter height, can depth, face material, and any special instructions provided by the customer. Missing information will cause delays in delivery of estimate as well as affect product selection, quantities, application, and illumination. 2) LED MODULE PLACEMENT AND QUANTITIES ARE APPROXIMATION ONLY. The sign manufacturer must verify module placement and quantity to ensure illumination. 3) Final material quantities for estimation purposes and construction are the responsibility of the OEM. 4) All signs should be tested as complete units (using correct Tetra® power supply) before installation for acceptable color, illumination, intensity, & functionality. 5) For detailed information and instructions refer to the applicable Tetra® product found under Signage at: www.gelighting.com						MATERIAL LIST		
LED Module	GEMX41;1	81 Mod	41 Ft					
	GEMM71;1	18 Mod	7 Ft					
	GEMS71;1	114 Mod	46 Ft					
Power Supply	GEPS12;60U-NA		2 Ea					
	GEPS12;20		0 Ea					
Supply Wire	9409		80 Ft					
Choose one wire connector	192160005		24 Ea					
	191600041		24 Ea					
End Caps	191600041		16 Ea					
Can Depth	Power Supply Location	Illumination	Total Amps (Primary)	Total Watts (System)	Total Area	Energy Usage		
5"; 1.5"; 1.5"	REMOTE	FACE / BACKLIT	1.3 Amps	106.92 Watts	8.44 Sq Ft	12.67 Watts/Sq Ft		
						MATERIAL BREAKDOWN		
						GEMX41;1	Modules	P/S
						O	10	1
						LI	11	
						VE	12	
						G	12	
						AR	14	
						DEN	22	
						GEMM71;1	Modules	P/S
						IK	18	
						GEMS71;1	Modules	P/S
						LEAVES	114	1
Tetra® LED Systems 		Lighting Solutions <small>EAST CLEVELAND, OH 44112</small>		TECH SUPPORT: 888;694;3533 / 216;266;2891 EMAIL: TETRADRAWINGS@GE.COM E: FAX: 216 ; 359 ; 0075		Drawn By: KD Checked By: KD Date: 3/20/14	Drwg #: 039583; 03 <small>PAGE 1 OF 1</small>	Rev ;

"To Go" Blade Sign

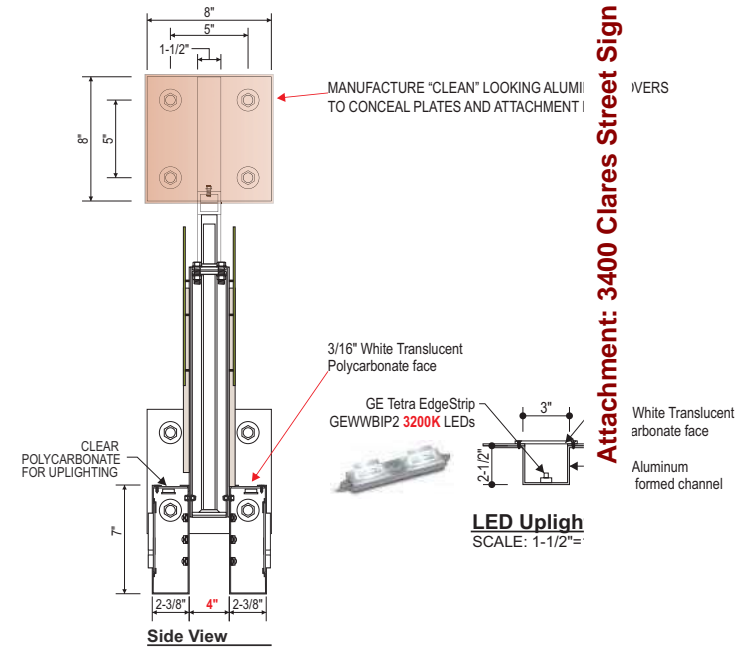
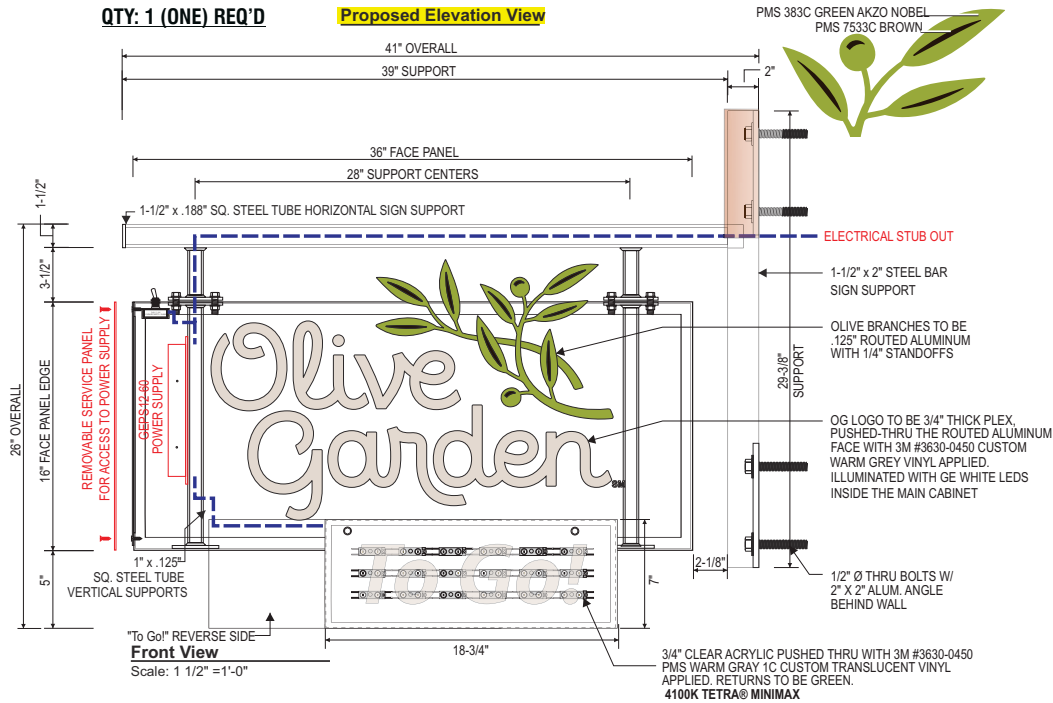


- General Specifications**
- 1 FABRICATED ALUMINUM EXTERIOR ILLUMINATED CANTILEVERED WALL SIGN FACE PANELS ARE .125" THICK ALUMINUM, PMS 7533 BROWN (TEXTURED FINISH)
 - 2 OG LOGO COPY TO BE ROUTED OUT OF THE ALUMINUM CABINET FACE WITH 3/4" THICK PUSH-THRU CLEAR ACRYLIC WITH CUSTOM 3M #3630-0450 PMS WARM GRAY 1C VINYL APPLIED FIRST SURFACE. ILLUMINATED WITH GE WHITE LEDS.
 - 3 OLIVE BRANCHES TO BE .125" ROUTED ALUMINUM WITH 1/4" STANDOFFS, PMS 383 GREEN / PMS 7533 BROWN
 - 4 STEEL TUBE HORIZONTAL SUPPORT, PMS 7533 BROWN. **REMOVE LED DOWNLIGHTING.**
 - 5 "TO GO" SIGN SECTION TO BE FABRICATED ALUMINUM, PMS 383 GREEN, ADD CLEAR POLYCARBONATE INSERT TOP OF MODULE FOR UP LIGHT ILLUMINATION OF VINES. ILLUMINATION FROM WHITE LED MODULES. THE "TO GO" TEXT TO BE 3/4" THICK PRECISION CUT CLEAR ACRYLIC FOR "PUSH THRU" EDGE ILLUMINATED LETTERS WITH 3M #3630-0450 PMS WARM GRAY 1C CUSTOM VINYL APPLIED FIRST SURFACE.
 - 6 CANTILEVERED WALL SIGN ATTACHED TO WALL WITH FABRICATED STRUCTURAL STEEL MOUNTING BRACKET SUPPORT FRAME AND ANCHORED TO WALL AS REQUIRED PER WALL CONSTRUCTION, PMS 7533 BROWN. CONCEALED ELECTRICAL STUB OUT THRU WALL. SIGNS ARE TO MEET ALL LOCAL AND STATE BUILDING CODE REQUIREMENTS AND ARE UL APPROVED. **ADD REMOVABLE ALUMINUM COVERS, PMS 7533 BROWN (TEXTURED FINISH), TO CONCEAL MOUNTING HARDWARE.**



Top View
Scale: 1 1/2" = 1'-0"

QTY: 1 (ONE) REQ'D Proposed Elevation View



Side View

Attachment: 3400 Clares Street Sign (3400 Clares Street)

Carside To Go Window Graphics

Carside Parking To Go!
Vinyl Graphics on Glass



**Front View - Carside To Go!
Building Entry Door**

SCALE 1/2" = 1'-0"

1.75Sq. Feet Sign Area



"Carside To Go!"
Precision Cut by Computer
Digital Printed Vinyl Graphics
applied to Glass Door

**Front View - Graphic Layout
and Color Reference**

SCALE 3/16" = 1"

DIGITAL PRINTED VINYL
GRAPHICS APPLIED
2ND SURFACE TO GLASS
ENTRY DOOR.

- PMS 383 GREEN
- PMS 7533 BROWN

Attachment: 3400 Clares Street Sign (3400 Clares Street)



November 18, 2016

City of Capitola
 Community Development
 420 Capitola Avenue
 Capitola, California 95010
 831-475-7300

Board Members:

The proposed Olive Garden located at 3400 Clares Avenue, the former Marie Callender, would respectfully request the Planning Commission to consider, and grant, a variance for additional wall signage for this highly visible location. The reason for this request is to allow visibility to motorists navigating to this location as well as through the surrounding corridor. This site is located within a highly trafficked destination center with cross access parking fields and internal drive isles. This location is intended for multiple uses, with multiple access points and this signage is vital for Olive Garden and provided safety for motoring traffic by having adequate wayfinding devices to allow motorist ample notification for proper traffic maneuvers. The request is to place wall signage on (4) four building elevations, where each sign will not exceed 5% of the wall area attached. Olive Garden is not asking for excessive signage, but adequate signage which serves the purpose of being both aesthetically pleasing with the building architecture and providing wayfinding tools to the motoring public. The Olive Garden has explored other options for this request and has determined this is the most viable option for this property to reach its maximum zoning potential.

The requested signage is necessary to properly notify motorists which will ensure safe traffic flow and maneuvering. The primary responsibility for a driver is to navigate their vehicle; without adequate signage drivers are in jeopardy of making improper traffic decisions which may result in unnecessary harm. The proposed signage is within the intent of the ordinance and will not provide a competitive advantage to this restaurant. For traffic traveling along Clares Street and the interior access drive isles this signage will provide advanced notification for drivers to insure they are not

making sudden stops, u-turns or other sporadic maneuvers. This property does not have direct access to Clares Street and one has to drive past the building to enter the parking fields. This type of traffic pattern is unique to this location and is not a traditional ingress/egress situation awarded to other businesses.

Per 17.57.070 B (1)(a) Additional wall signs may be allowed under a master sign program. During our research we were informed there was a Master Sign Program for this center however the previous tenant was not under that program. The existing tenant did have wall signs on each elevation and Olive Garden would like to maintain that exiting conditions. The previous tenant had signs on all (4) four elevations with no traffic related incidents, so we feel the Olive Garden would maintain that condition. This request is the minimal amount of relief necessary to provide a way-finding device which will be beneficial for motorists traveling this corridor (please see attached art packet).

Olive Garden is not requesting excessive signage, just what is necessary to identify the property and provide quality way finding devices. The proposed is the minimum request required to adequately identify our restaurant to the public. If the request is denied, motorists traveling this new development will not have proper wayfinding devices which can result in improper traffic decisions and create confused and frustrated individuals. Restaurants are typically impulse locations that need to be readily identifiable to those not from the immediate area in order to prevent taxable dollars from leaving the community. Studies show that 10% of the population is in transition, which means they are either moving in, out, or through the area. This is why signage is not only important to this location, but also provides the necessary means to properly guide traffic to and from desired destinations.

Sincerely,



Shawn Smith
Site Enhancement Services
800-599-7696

Attachment: 3400 Clares Street Variance Request (3400 Clares Street)

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