



AGENDA

CAPITOLA PLANNING COMMISSION

Thursday, December 5, 2013 – 7:00 PM

Chairperson Mick Routh
Commissioners Ron Graves
 Gayle Ortiz
 Linda Smith
 TJ Welch

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. APPROVAL OF MINUTES

A. November 7, 2013 Draft Planning Commission Minutes

4. 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. 209 Fanmar Way #13-150 APN: 035:163-01 & 02

Design Permit and Coastal Development Permit to remodel an existing single-family home in the CV (Central Village) Zoning District
Environmental Determination: Categorical Exemption
Owner: Vince and Sheryl Barabba
Representative: John Hofacre, Architect, filed: 10/24/2013

B. 141 Magellan Street #13-153 APN 036-192-20

Design Permit and Coastal Development Permit for remodel of existing single-family home in the R-1 (Single-Family) Zoning District.
Environmental Determination: Categorical Exemption
Owner: Gene Benson
Representative: Roy Horn, filed: 11/4/2013

C. 723 El Salto Drive #13-155 APN: 036-143-35

Coastal Development Permit and Minor Land Division to create two lots of record, and request for a two-year extension to the previously approved Minor Land Division to convert four apartment units to condominiums in the R-1/VS (Single Family/Visitor Serving) Zoning District.

This project 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

Owner: Doug Dodds

Representative: Thacher & Thompson, filed: 11/5/2013

D. 904 Sir Francis #06-061 APN 036-222-07

Request for a one-year extension to a previously approved Coastal Development Permit and Architectural and Site Review for the remodel of an existing single-family residence and construction of a new second story in the R-1 (Single-Family Residence) Zoning District.

Environmental Determination: Categorical Exemption

Property Owner: Justin and Lisa Maffia

5. 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. 2178 41st Avenue #12-080 APN: 034-221-02

Modification to Design Permit and a Conditional Use Permit to incorporate a carwash into the recently approved commercial retail building (7-Eleven) in the CC (Community Commercial) Zoning District.

Environmental Determination: Categorical Exemption

Property Owner: Ed Hadad, filed: 3/28/13

Representative: Joe Nguyen, ASI Consulting

B. 115 San Jose 13-160 APN 035-221-15

Conditional Use Permit for outdoor seating and an outdoor ATM in the CV (Central Village) Zoning District.

Environmental Determination: Categorical Exemption

Owner: Capitola Associates, LLC

Representative: Shane Gomes, filed: 11/12/2013

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

Adjourn to the next Planning Commission on Thursday, January 16, 2014 at 7:00 PM, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

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 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 one hundred forty two dollar (\$142.00) 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 7:00 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.ci.capitola.ca.us. 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 at 12:00 Noon on the Saturday following the meetings on Community Television of Santa Cruz County (Charter Channel 71 and Comcast Channel 25). Meetings can also be viewed from the City's website: www.ci.capitola.ca.us

THIS PAGE INTENTIONALLY LEFT BLANK



**DRAFT MINUTES
CAPITOLA PLANNING COMMISSION MEETING
THURSDAY, NOVEMBER 7, 2013
7 P.M. – CAPITOLA CITY COUNCIL CHAMBERS**

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

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Commissioners: Ron Graves, Gayle Ortiz, Linda Smith and TJ Welch, and Chairperson Mick Routh

2. ORAL COMMUNICATIONS

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

3. APPROVAL OF MINUTES

- A. October 3, 2013, Regular Planning Commission Meeting

A motion to approve the Oct. 3, 2013, meeting minutes was made by Commissioner Ortiz and seconded by Commissioner Welch.

The motion carried by the following vote: Aye: Commissioners Ortiz and Welch and Chairperson Routh. No: None. Abstain: Commissioners Graves and Smith.

4. CONSENT CALENDAR

- A. **1066 41st Avenue #12-094 APN: 034-711-001, 002, and 003**

Master Sign Program for three commercial units in the PD (Planned Development) Zoning District.
Environmental Determination: Categorical Exemption
Property Owner: Macquarie Capitola Villas, Inc., filed 7/18/12
Representative: Steve Elmore

A motion to approve project application #12-094 with the following conditions and findings was made by Commissioner Smith and seconded by Commissioner Ortiz:

CONDITIONS

1. All signs shall comply with the Master Sign Program for 1066 41st Avenue. Individual sign permits may be issued by the Community Development Director or designee. Applicants must obtain Community Development Department and Building Department approval of new signs prior to installation.

2. The applicant shall obtain a business license prior to operating the business.
3. Prior to granting of final occupancy for commercial units, compliance with all conditions of approval associated with the commercial units at 1066 41st Avenue shall be demonstrated to the satisfaction of the Community Development Director.

FINDINGS

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

Planning Staff and the Planning Commission have reviewed the application and determined that the proposed Master Sign Program is allowed in the PD Zoning District and future sign applications will comply with the requirements of the Sign Ordinance. Conditions of approval have been included to ensure that future signs for the commercial suites are consistent with the Zoning Ordinance and General Plan.

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

Planning Department Staff and the Planning Commission have reviewed the project and determined that the master sign program complements the building form and established requirements for future signs that will maintain the character and integrity of this mixed use area within the City of Capitola. Conditions of approval have been included to carry out these objectives.

- 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.**

The proposed project involves signs for an existing commercial space. No adverse environmental impacts were discovered during project review by either the Planning Department Staff or the Planning Commission.

The motion carried by the following vote: Aye: Commissioners Graves, Ortiz, Smith, and Welch and Chairperson Routh. No: None. Abstain: None.

5. PUBLIC HEARINGS

- A. **110 Lawn Way #13-145 APN: 035-124-05**

Conceptual review for a second-story addition to a single-story home in the CV (Central Village) Zoning District.

Environmental Determination: Categorical Exemption

Owner: Norma Kettmann

Representative: Gary Lindeke, filed: 10/11/13

Senior Planner Cattan presented the staff report and background on the conceptual review. She shared images of the property and the Lawn Way Historic District, noting it contains 22 units of which 17 are contributory. The subject property is a cinderblock non-contributory home rebuilt in the 1960s to fire specifications after the original home was condemned. It has one story with a roof deck.

The Central Village District Design Guidelines for Lawn Way specifically prohibit an increase in habitable area or additional stories, elements that are part of the remodel under consideration by the applicant. The initial proposal featured a full second-story addition, and an option of a story-and-a-half

was also submitted to Architecture and Site Review. This option was favored by the committee's historian, although she questioned the shed roof and deck.

Staff confirmed for commissioners that the guidelines are referenced in the zoning ordinance. The guidelines will be made available online if not already. The conceptual review is for guidance only; no action is required.

Chairperson Routh opened the public hearing and Gary Lindeke spoke for the applicant. He noted the property is unique in the Lawn Way district and that the home is not what the Kettmann family wanted to build when the original house was destroyed. The family still owns the property. He explained the Kettmanns hope to balance their desire for more space with a design complementing the historic style.

There were no other comments and the public hearing was closed.

Commissioner Graves said although he favors the second option over the existing home, he is concerned about ignoring the guidelines. Community Development Director Rich Grunow said the use of guidelines as opposed to ordinance process provides for some flexibility.

Commissioners Ortiz and Smith both spoke to maintaining the character and integrity of the historic district and asked if there is a way to support this application without setting precedents that could ripple through other structures. Commissioner Ortiz suggested asking for guidance from the state on maintaining a historic district. Commissioner Graves felt this matter is better handled locally.

Commissioner Welch noted the Village Guidelines include language acknowledging that some structures detract from the overall aesthetic and the City should take advantage of opportunities to improve these properties. He feels that directive could be applied to this project.

Other discussion included whether the existing roof deck was considered habitable or usable space and could be used to support the requested changes. The impact of FEMA flood requirements, and whether historic or FEMA concerns take precedence, was also raised. Staff noted the wall height of the existing home creates a higher roofline than adjoining homes. Commissioners in general favored the story-and-a-half option, but would prefer gables and roofline running the same direction as adjoining properties. Commissioner Ortiz asked the commissioners if they could make findings unique to the property to allow for an exception to the guidelines. No consensus of findings was made. They did not reach consensus on allowing cement fiber versus wood siding.

6. DISCUSSION ITEMS

A. Review of Draft Conditions of Approval for Residential Projects

Senior Planner Cattan presented the staff report. Commissioners supported the effort to be clear and specific, and offered the following:

- In #2 clarify the interior modifications portion to reflect that only work requiring a permit is included.
- Check the acronyms and perhaps clarify them for #4.
- For #6, final landscape plans should be part of the Planning Commission approval process whenever possible. Also add "required" irrigation systems.
- Add that landscaping must be installed or a bond posted prior to occupancy.
- Perhaps replace or add to #17 the statement "All conditions of approval must be met before occupancy is granted."

- For #13, add construction vehicles on the public street must abide by parking limits and should not remain for the duration of the project.
- The Commission favors reviewing construction hours when code is updated (#14) and may also want to create different approval expiration times for residential and commercial projects (#18).
- Secondary Dwelling unit 2C & D, change description to Design Permit.
- In Secondary Dwelling unit, repeat #9 for water notification.

7. DIRECTOR'S REPORT

Staff took the question of sign code enforcement in the Central Village to the City Council on Oct. 24. Council elected to support complaint-based enforcement.

The General Plan Advisory Committee meets Nov. 12 for comments on the draft. The Planning Commission will have a joint meeting with City Council on Nov. 21.

8. COMMISSION COMMUNICATIONS

A motion to appoint Commissioner Graves as the Planning Commission's representative to the Traffic and Parking Commission was made by Commissioner Welch and seconded by Commissioner Ortiz.

The motion carried by the following vote: Aye: Commissioners Ortiz, Smith, and Welch and Chairperson Routh. No: None. Abstain: Commissioner Graves

9. ADJOURNMENT

The Planning Commission adjourned the meeting at 8:42 p.m. to a Special Joint Meeting of the City Council and Planning Commission to be held on Thursday, Nov. 21, 2013, at 6 p.m. in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

Approved by the Planning Commission on Dec. 5, 2013.

Linda Fridy, Minute Clerk



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: DECEMBER 5, 2013

SUBJECT: **209 Fanmar Way #13-150 APN: 035-163-01 & 02**
Design Permit and Coastal Development Permit to remodel an existing single-family home in the CV (Central Village) Zoning District.
Environmental Determination: Categorical Exemption
Owner: Vince and Sheryl Barabba
Representative: John Hofacre, Architect, filed: 10/24/2013

APPLICANT PROPOSAL

The applicant has submitted a Design Permit and a Coastal Development Permit for the property at 209 Fanmar Way. The project is located in the RM-LM (multi-family low density) zoning district. A single-family home in the RM-LM zoning district is subject to the development standards of the R-1 (Single Family) zoning district. Currently, the property is utilized by the owner as an art studio. The applicant would like to add a 1,136 square-foot addition onto the existing 837 square-foot structure to utilize the home as a primary residence. Additions of more than four hundred square feet require approval of a Design Permit by the Planning Commission.

BACKGROUND

On November 13, 2013, the Architectural and Site Review Committee reviewed the application.

- City Design Representative Derek Van Alstine requested that the applicant redesign the entryway of the home to better complement the shed roof on the existing structure. The architect created several different entry designs for the owner. After reviewing the options, the owners preferred the current design. Their Architect, John Hofacre, submitted a letter explaining the preference for leaving the design as is. (Attachment C)
- City Landscape Architect representative Susan Suddjian approved of the submitted landscape plan and did not recommend any modifications.
- City Public Works Director Steve Jesberg was unable to attend the meeting.
- City Building Inspector Brian Von Son reviewed the plans and did not recommend any modifications.

DISCUSSION

The structure at 209 Fanmar Way was built in 1943. Although it is over fifty years in age, it is not considered a historic structure. The home is located just outside the Central Village District and not within a historic overlay district; therefore, the Central Village Design Guidelines do not apply to this application.

The existing home at 209 Fanmar Way is 837 square feet within a two-story structure. The applicant is proposing a single-story addition with 789 square feet of living space and 347 square feet for the single-car garage. The floor area of the existing structure with new addition is 1,973 square feet.

Within the R-1 District, a 4,075 square-foot lot is allowed a maximum Floor Area Ratio (FAR) of 53%. The FAR for the new home is 47.5%.

Site and Structural Data

The project conforms with all R-1 (single family) zoning district standards, as follows:

Floor Area Ratio (FAR)		
Lot Size		4,075 sq. ft.
Maximum FAR Allowed	53%	2,159 sq. ft.
Proposed FAR	47.5%	1,973 sq. ft.
Proposed Square Footage		
Existing Floor Area		837 sq. ft.
First Floor Addition		789 sq. ft.
	Total	1,626 sq. ft.
New Garage		347 sq. ft.
	Floor Area	1,973 sq. ft.
Set Backs on Corner Lot		
	R-1 District	Proposed
Front Yard	15'	23'
Rear Yard	= min side yard of adjacent lot (3') but not less than 4'	5'
Side Yard	10' on corner lot on side facing side street	10'
Building Height		
	R-1 District	Proposed
Residential	25'-0"	18'
Parking		
	Required	Proposed
Residential (2,001 sq. ft. – 2,600 sq. ft.)	2 spaces total Minimum 1 covered 1 uncovered	2 spaces total 1 covered 2 uncovered

Setbacks

The setbacks for the development are unique due to the triangular configuration of the lot. The front of the home is on Fanmar Way and the side yard is located on Terrace Way. The front yard setback in the R-1 District on the first floor is 15 feet. On a corner lot, the side yard setback on the street side is a minimum of ten feet (adjacent to the neighboring front yards); and the minimum rear yard is the minimum side yard of the adjacent property, but no less than four feet. The new addition complies with a 15 foot front yard setback along Fanmar Way, a 10 foot side yard setback along Terrace Way, and a 5 foot rear yard setback along the adjacent property line.

Parking

The proposed 1,136 square-foot addition is greater than 10% of the gross floor area of the existing home (837 sq. ft.). Per Capitola Municipal Code Section 17.15.130.A.9, “no additional square footage exceeding 10 percent of the existing gross floor area may be added to an existing single-family residential unit, unless minimum parking requirements are met.” Two parking spaces are required for the 1,973 square-foot home, including 1 interior space and 1 exterior space. The application complies with the parking requirements with 1 interior space provided in the new single-car garage and 1 exterior parking space in a tandem configuration in the driveway.

Landscaping

The applicant has submitted a full landscape and irrigation plan. (Attachment B) The applicant will protect 4 of the 5 existing trees on site during construction, including: 1 lemon tree, 2 apple trees, and the large magnolia along Terrace Way. One apple tree will be removed. The large smoke bush on the corner will also remain. A mix of bushes, perennials, and ground cover are proposed within the landscape plan. A flagstone path set on sand will meanders around the periphery of the home. A Japanese maple tree will be planted near the front entrance. A drip irrigation system will be installed as outlined in the landscape submittal.

CEQA REVIEW

Section 15301(e) of the CEQA Guidelines exempts additions to existing structures provided that the addition is under 10,000 square feet and not located in an environmentally sensitive area. This project involves a 1,136 square-foot addition to an existing home located in the single family residential (R-1) zoning district. No adverse environmental impacts were discovered during review of the proposed project.

RECOMMENDATION

Staff recommends the Planning Commission **approve** project application #13-150 based on the following Conditions and Findings for Approval.

CONDITIONS

1. The project approval consists of construction of a 1,136 square-foot addition to an existing single family home. The maximum Floor Area Ratio for the 4,075 square-foot property is 53% (2,159 square feet). The total FAR of the home with new addition is 47.5% with a total of 1,973 square feet, 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 December 5, 2013, 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 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.
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 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.
7. Prior to issuance of building permit, all Planning fees associated with permit #13-150 shall be paid in full.

8. 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.
9. 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.
10. 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.
11. 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).
12. 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.
13. 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.
14. 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 9 p.m. and 7:30 a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between 9 a.m. and 4 p.m. or emergency work approved by the building official. §9.12.010B
15. 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.
16. 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.
17. 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.
18. 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.

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

FINDINGS

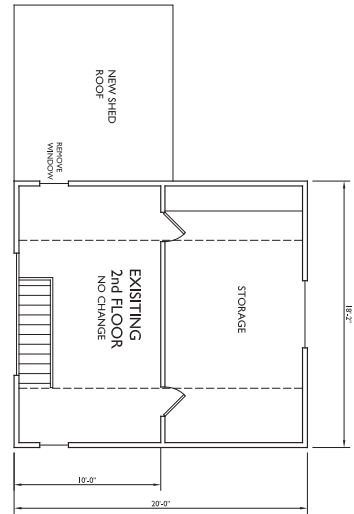
- A. **The application, subject to the conditions imposed, will secure the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**
Community Development Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the addition to the single family home. The project conforms to the development standards of the RM/LM (Multiple Family Low Density) and the R-1 (Single-Family) Zoning Districts. Conditions of approval have been included to carry out 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 Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the addition to the single-family home. The project conforms to the development standards of the RM/LM (Multiple Family/Low Density) and the R-1 (Single-Family) Zoning Districts. Conditions of approval have been included to ensure that the project maintains the character and integrity of the neighborhood. The proposed addition to the single-family residence compliments the existing single-family homes in the neighborhood in use, mass and scale, materials, height, and architecture.
- C. **This project is categorically exempt under Section 15301(e) of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.**
This project involves an addition to an existing single-family residence in the RM/LM (Multiple-Family /Low Density) zoning district, subject to the R-1 (Single-Family) zoning district standards. Section 15301 of the CEQA Guidelines exempts additions to existing structures provided that the addition is under 10,000 square feet and not located in an environmentally sensitive area.

ATTACHMENTS

- A. Project Plans
- B. Landscape Plan
- C. Letter from John Hofacre, Architect

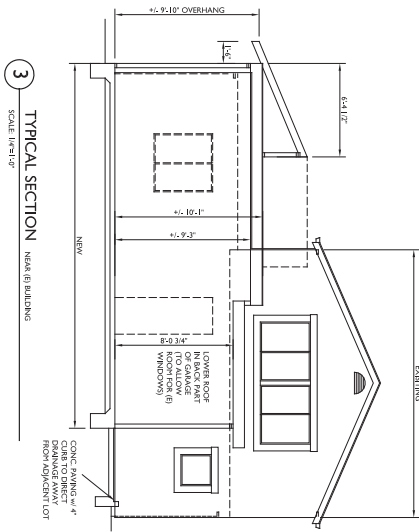
**Report Prepared By: Katie Cattan
Senior Planner**

THIS PAGE INTENTIONALLY LEFT BLANK



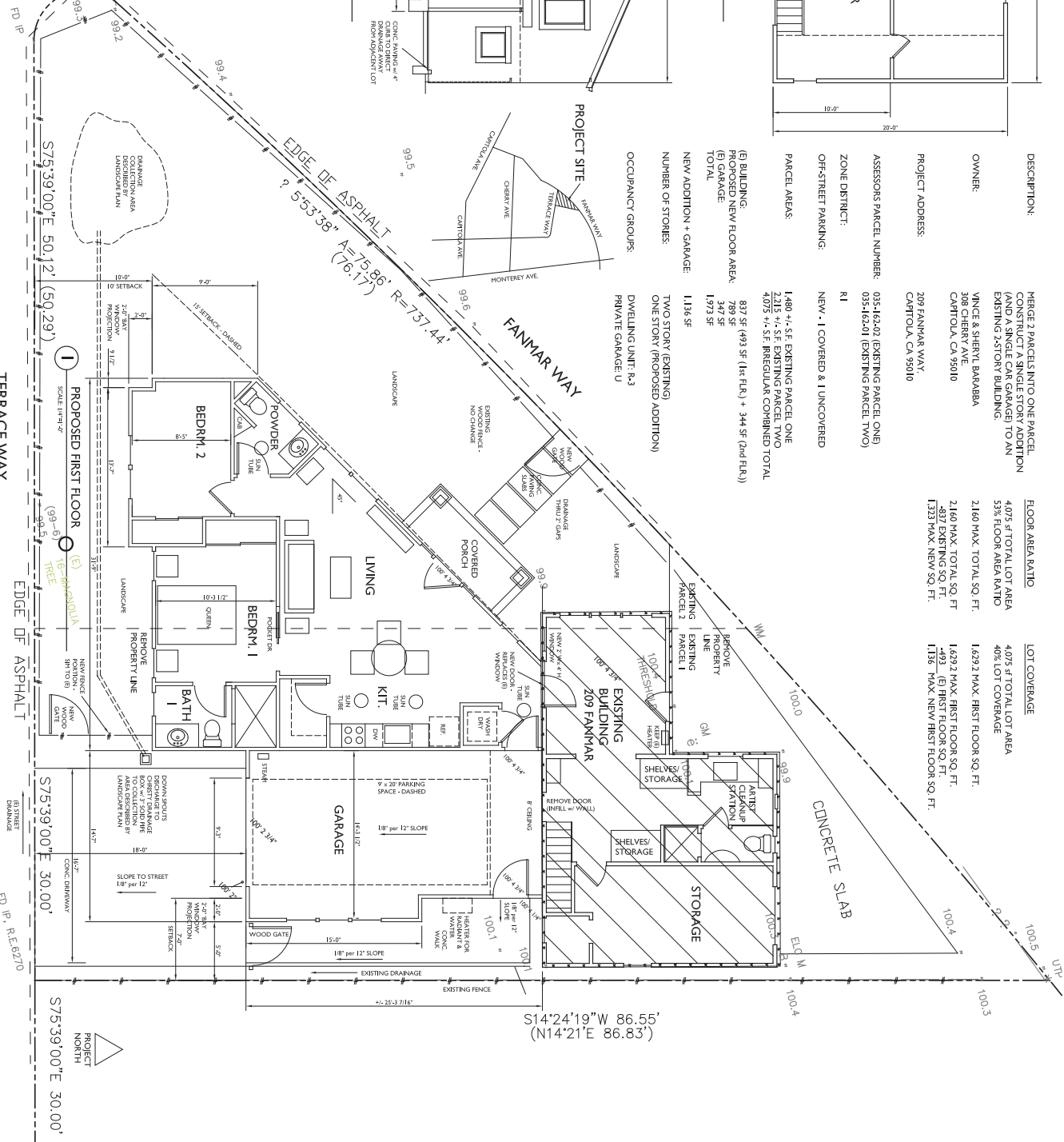
DESCRIPTION:	MERGE 2 PARCELS INTO ONE PARCEL. CONSTRUCT A SINGLE STORY ADDITION TO EXISTING 2-STORY BUILDING.
OWNER:	VINCE & SHERYL BARABBA 308 CHERRY AVE CAPITOLA, CA 95010
PROJECT ADDRESS:	209 FANMAR WAY CAPITOLA, CA 95010
ASSESSOR'S PARCEL NUMBER:	035-163-02 (EXISTING PARCEL ONE) 035-163-01 (EXISTING PARCEL TWO)
ZONE DISTRICT:	R1
OFF-STREET PARKING:	NEW - 1 COVERED & 1 UNCOVERED
PARCEL AREAS:	1,480 +/- SF EXISTING PARCEL ONE 2,215 +/- SF EXISTING PARCEL TWO 4,075 +/- SF REGULAR COMBINED TOTAL 837 SF (493 SF (1st FLR.) + 344 SF (2nd FLR.)) 789 SF 347 SF 1,973 SF NEW ADDITION + GARAGE: 1,136 SF
NUMBER OF STORIES:	TWO STORY (EXISTING) ONE STORY (PROPOSED ADDITION)
OCCUPANCY GROUPS:	DWELLING UNIT: R-3 PRIVATE GARAGE: U

FLOOR AREA RATIO	4.075 F TOTAL LOT AREA 53% FLOOR AREA RATIO
LOT COVERAGE	40% LOT COVERAGE 40% LOT COVERAGE
FLOOR AREA RATIO	1,629.2 MAX. FIRST FLOOR SQ. FT. 493 (E) FIRST FLOOR SQ. FT. 1,136 MAX. NEW FIRST FLOOR SQ. FT.



1. ENTRY RAINING SEPARATED BY SLOTS TO ALLOW SITE DRAINAGE FROM RESOURCE CONSERVATION DISTRICT OF SANTA CRUZ COUNTY - (GUIDE TO EXISTING 2-1/2" RAINING SEPARATOR)
2. DOWNPOUR DISCHARGE TO CONCRETE SPRASH BLOCKS. WATER THEN FLOWS TO THE PONDING AREA.
3. DISCHARGE INTO THE PONDING AREA.

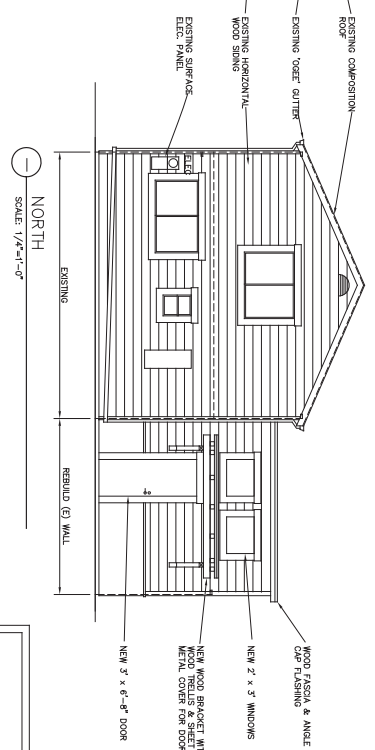
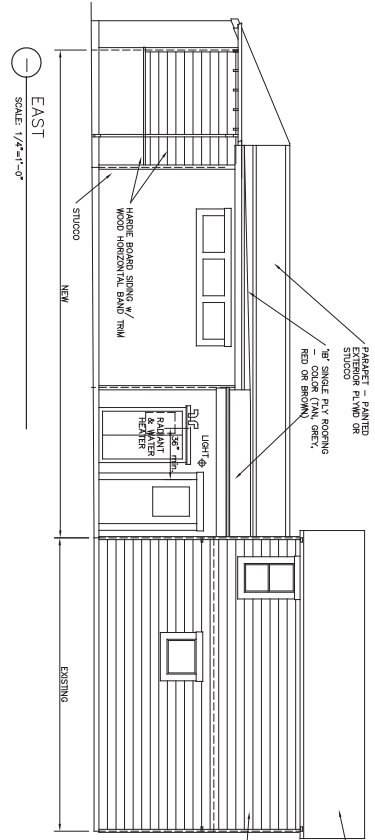
$A = 9.65' (9.61')$
 $R = 4.27' (4.19')$
 $S75.39'00"E 50.12' (50.29')$
 $S14.24'19"W 86.55' (N14.21'E 86.83')$



BARABBA RESIDENTIAL ADDITION
209 FANMAR WAY, CAPITOLA, CA

JOHN HOPKINS ARCHITECT
 1377 W. W. W. DR.
 SUITE 100
 CAPITOLA, CA 95010
 (831) 426-2424
 johnh@johnh.com

DRAWING DATE: 10/20/23
 REVISIONS: NONE
 DESCRIPTION: DATE:



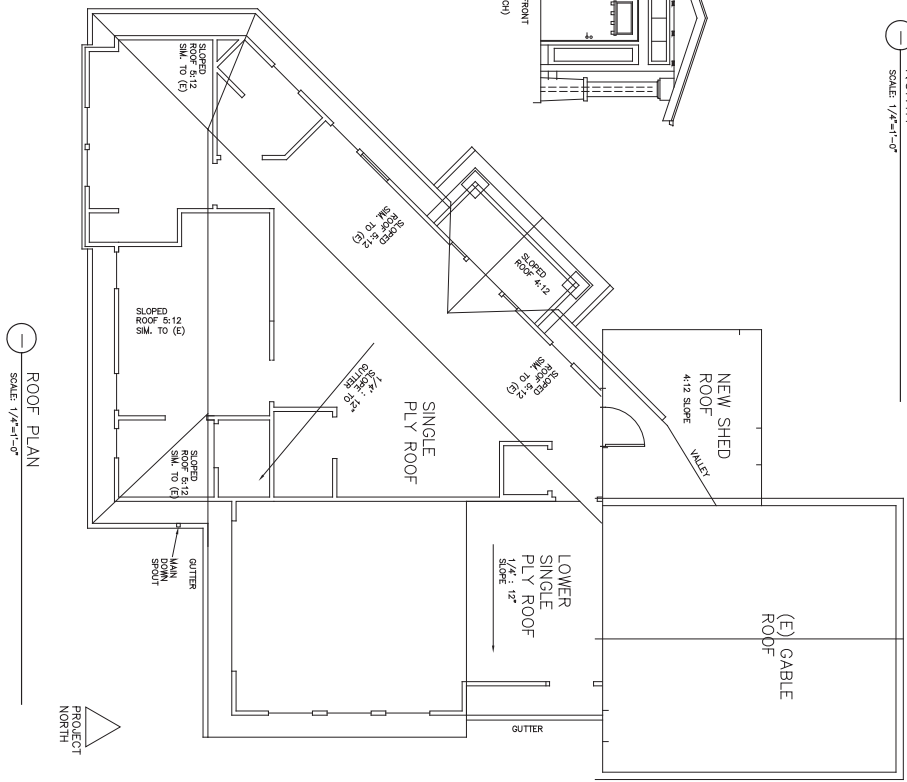
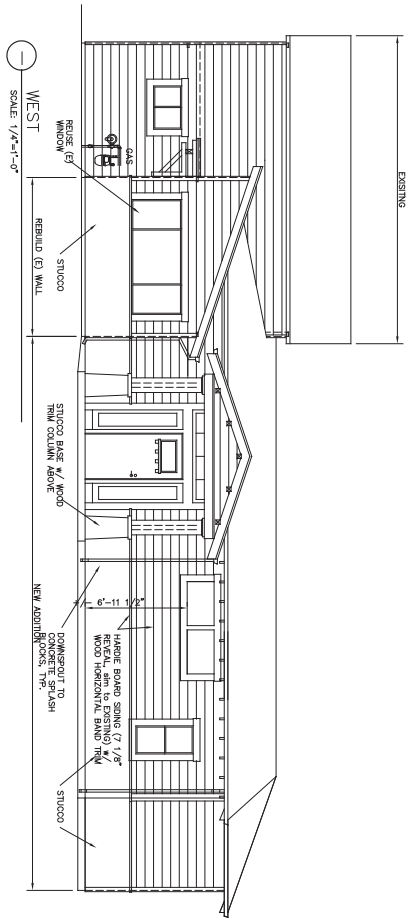
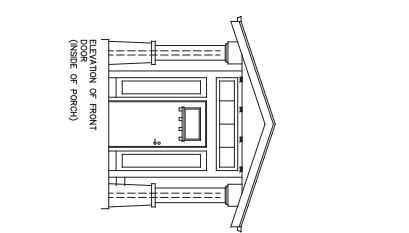
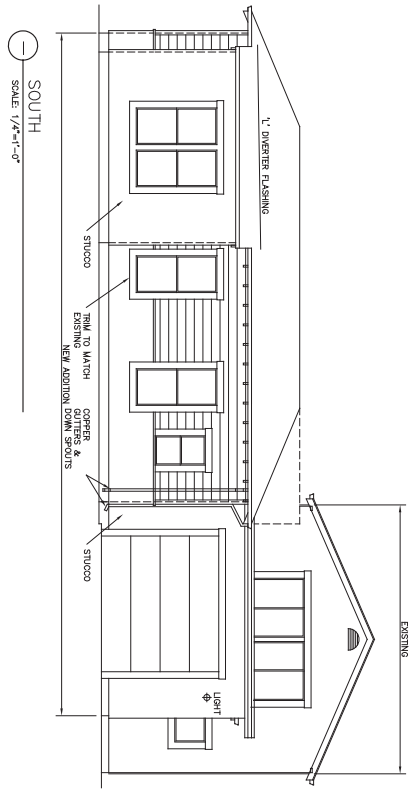
REVISIONS

No.	DESCRIPTION	DATE

PLANNING DATE
11/20/13

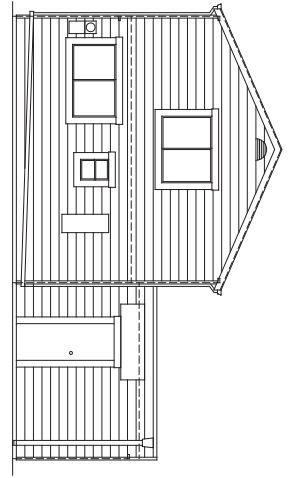
JOHN HOFACRE ARCHITECT
1375 4th Ave. MSB00
Capitola, CA 95010
(831) 244-2344
john@hofacre.com

REGISTERED ARCHITECT
STATE OF CALIFORNIA
C 33439
MAY 28 2015
EXPIRES

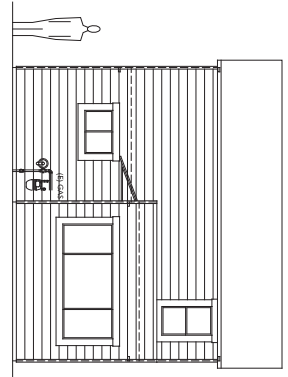


BARABBA ADDITION
209 FANMAR WAY, CAPITOLA, CA 95010

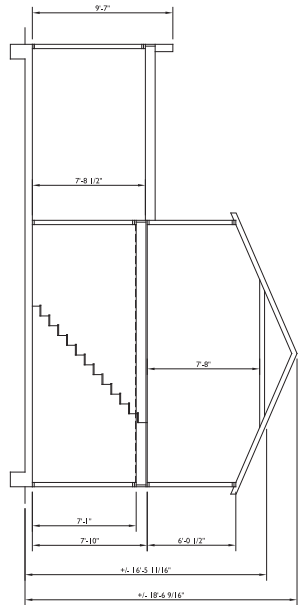
4 NORTH
SCALE 1/4"=1'-0"



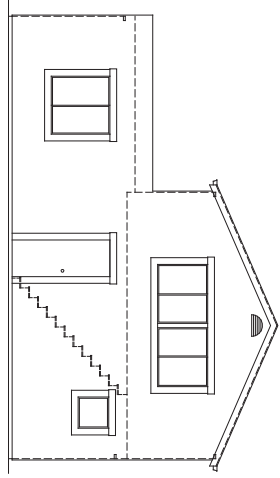
5 WEST
SCALE 1/4"=1'-0"



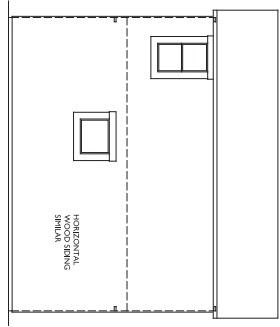
3 SECTION
SCALE 1/4"=1'-0"



6 SOUTH
SCALE 1/4"=1'-0"

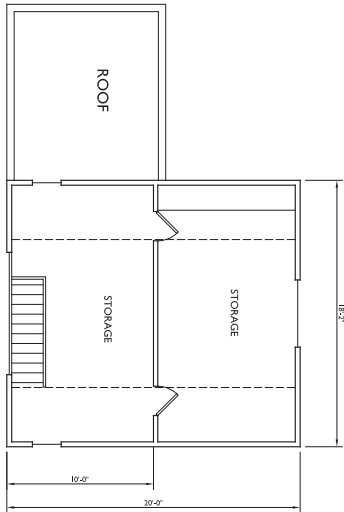


7 EAST
SCALE 1/4"=1'-0"



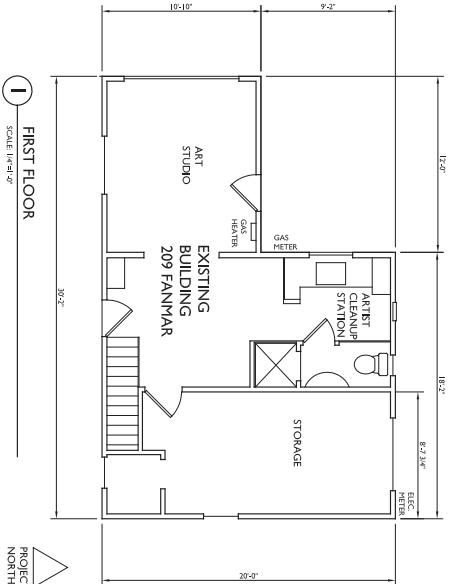
EXISTING PLANS AND ELEVATIONS

2 SECOND FLOOR
SCALE 1/4"=1'-0"



FIRST FLOOR 493 sf
SECOND FLOOR 344 sf
TOTAL 837 sf

1 FIRST FLOOR
SCALE 1/4"=1'-0"



BARABBA RESIDENTIAL ADDITION

209 FANMAR WAY, CARITOLA CA

NO.	REVISIONS	DATE

DRAWING DATE
10/22/13



JOHN HOFACKRE ARCHITECT
1171 W. W. W. BLVD
COSTA MESA, CA 92626
John.Hofackre@hofackre.com

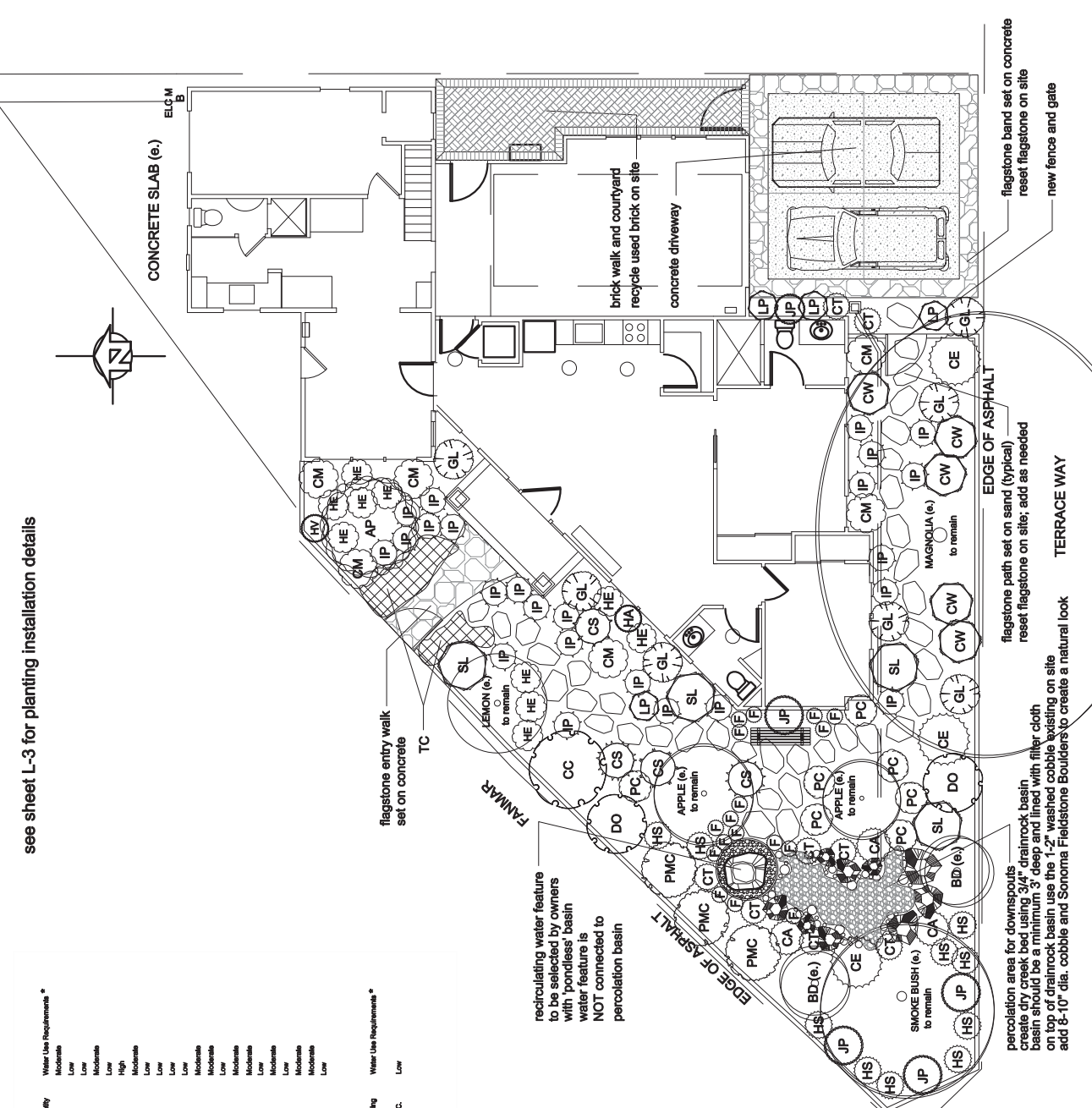
THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF HOFACKRE ARCHITECT AND ARE TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. ANY REUSE OR MODIFICATION OF THESE PLANS WITHOUT THE WRITTEN CONSENT OF HOFACKRE ARCHITECT IS STRICTLY PROHIBITED. HOFACKRE ARCHITECT SHALL NOT BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THESE PLANS AND SPECIFICATIONS. HOFACKRE ARCHITECT SHALL NOT BE RESPONSIBLE FOR ANY CONFLICTS BETWEEN THESE PLANS AND SPECIFICATIONS AND ANY OTHER DOCUMENTS. HOFACKRE ARCHITECT SHALL NOT BE RESPONSIBLE FOR ANY DELAYS OR DISRUPTIONS TO THE PROJECT. HOFACKRE ARCHITECT SHALL NOT BE RESPONSIBLE FOR ANY INDEMNIFICATION OF ANY PARTY. HOFACKRE ARCHITECT SHALL NOT BE RESPONSIBLE FOR ANY OTHER MATTERS. HOFACKRE ARCHITECT SHALL NOT BE RESPONSIBLE FOR ANY OTHER MATTERS.

THIS PAGE INTENTIONALLY LEFT BLANK



DATE: 11.03.13
PURPOSE: Final Landscape Plan

scale: 1/4" = 1' - 0"
sheet title: plantin.
sheet number: L-3
of three



see sheet L-3 for planting installation details

Quantity	Planting Size	Water Use Requirements *
1	24" Box	Moderate
2	Bleeding	Low
3	1-Gal	Low
5	1-Gal	Moderate
6	15-Gal	Moderate
7	5-Gal	High
8	5-Gal	Moderate
9	5-Gal	Moderate
10	5-Gal	Low
11	15-Gal	Low
12	15-Gal	Moderate
13	15-Gal	Low
14	15-Gal	Moderate
15	15-Gal	Low
16	5-Gal	Moderate
17	5-Gal	Low
18	5-Gal	Moderate
19	5-Gal	Low
20	5-Gal	Moderate
21	5-Gal	Low
22	5-Gal	Moderate
23	5-Gal	Low
24	5-Gal	Moderate
25	5-Gal	Low
26	5-Gal	Moderate
27	5-Gal	Low
28	5-Gal	Moderate
29	5-Gal	Low
30	5-Gal	Moderate
31	5-Gal	Low
32	5-Gal	Moderate
33	5-Gal	Low
34	5-Gal	Moderate
35	5-Gal	Low
36	5-Gal	Moderate
37	5-Gal	Low
38	5-Gal	Moderate
39	5-Gal	Low
40	5-Gal	Moderate
41	5-Gal	Low
42	5-Gal	Moderate
43	5-Gal	Low
44	5-Gal	Moderate
45	5-Gal	Low
46	5-Gal	Moderate
47	5-Gal	Low
48	5-Gal	Moderate
49	5-Gal	Low
50	5-Gal	Moderate
51	5-Gal	Low
52	5-Gal	Moderate
53	5-Gal	Low
54	5-Gal	Moderate
55	5-Gal	Low
56	5-Gal	Moderate
57	5-Gal	Low
58	5-Gal	Moderate
59	5-Gal	Low
60	5-Gal	Moderate
61	5-Gal	Low
62	5-Gal	Moderate
63	5-Gal	Low
64	5-Gal	Moderate
65	5-Gal	Low

BARBARBA PLANT LEGEND

Alias	Scientific Name	Common Name	Planting Size	Water Use Requirements *
AP	<i>Acer palmatum</i>	'Bloodgood'	24" Box	Moderate
BD	<i>Buddleia davidii</i>	'Black Knight'	1-Gal	Low
CA	<i>Callirhoe</i>	'Black Knight'	1-Gal	Low
CT	<i>Clematis</i>	'Black Knight'	1-Gal	Low
CC	<i>Cercocarpus</i>	'Black Knight'	1-Gal	Low
CE	<i>Chionodoxa</i>	'Black Knight'	1-Gal	Low
CS	<i>Cornus</i>	'Black Knight'	1-Gal	Low
CM	<i>Coronilla</i>	'Black Knight'	1-Gal	Low
DO	<i>Doronicum</i>	'Black Knight'	1-Gal	Low
F	<i>Fuchsia</i>	'Black Knight'	1-Gal	Low
GL	<i>Geum</i>	'Black Knight'	1-Gal	Low
HV	<i>Helleborus</i>	'Black Knight'	1-Gal	Low
HE	<i>Hebe</i>	'Black Knight'	1-Gal	Low
HA	<i>Hieracium</i>	'Black Knight'	1-Gal	Low
IP	<i>Ipomoea</i>	'Black Knight'	1-Gal	Low
JP	<i>Jasminum</i>	'Black Knight'	1-Gal	Low
LM	<i>Limonium</i>	'Black Knight'	1-Gal	Low
PM	<i>Panicle</i>	'Black Knight'	1-Gal	Low
PC	<i>Phlox</i>	'Black Knight'	1-Gal	Low
PL	<i>Platanus</i>	'Black Knight'	1-Gal	Low
SA	<i>Salvia</i>	'Black Knight'	1-Gal	Low

BARBARBA GROUND COVER LEGEND

Symbol	Scientific Name	Planting Size	Water Use Requirements *
(Pattern)	<i>Trifolium dactyloides</i>	1-Gal	Low

* Water use requirements based on WUCOLS III

recirculating water features to be selected by owners with pondless basin water feature is NOT connected to percolation basin

flagstone entry walk set on concrete

brick walk and courtyard recycle used brick on site

concrete driveway

flagstone band set on concrete reset flagstone on site new fence and gate

flagstone path set on sand (typical) reset flagstone on site; add as needed

TERRACE WAY

EDGE OF ASPHALT

MAGNOLIA (e) to remain

percolation area for downspouts create dry creek bed using 3/4" drainrock basin basin should be a minimum 3' deep and lined with filter cloth on top of drainrock basin use the 1-2" washed cobble existing on site add 8-10" dia. cobble and Sonoma Fieldstones Boulders to create a natural look

- PLANTING NOTES:**
- Planting areas shall be irrigated as per the schedule.
 - Read all codes and specifications contained in the top 640 sheets of set for 1000 sq. ft. of area.
 - In areas of competition due to construction, all to a depth of 12".
 - All planting areas shall receive 60 lbs "Business 5-2-4 + F" (or equal organic slow release fertilizer) per 2000 square feet to be thoroughly incorporated into the top 6 inches of soil. Call Sustane - Natural Fertilizer of America, Inc. at 1-800-525-5045 for Distribution/Product information. Or visit www.sustane.com
 - After amending soil, grade all areas smooth with no localized depressions exceeding 1/2". All areas shall surface drain with 1.5 percent minimum slope away from all buildings, paving or other structures.
 - All imported top soil shall be submitted to Landscape Architekt for testing and approval. Contractor shall verify all tests.
 - Contractor shall verify all soil test results for testing and approval. Contractor shall verify all quantities.
 - No plants shall be planted with root balls or near plants in a dry condition.
 - Plant all plants as per planting details in quantity file with sides and bottom thoroughly watered. Amend basket mix and planting beds as noted above.
 - Immediately after planting: treat all areas with pre-emergent weed control as per manufacturer's specs. prior to top dressing.
 - All newly planted plants shall be watered by deep watering with 3 hours of piling.
 - Contractor shall provide watering schedule for first two weeks prior to installation. Irrigation shall be provided to landscape architect for approval two weeks prior to installation.
 - Contractor shall be responsible for irrigating all new plant material until completion and approval of owner.
 - Thirty days after planting Contractor shall remove and salvage all trees as necessary for proper growth.
 - Remove all tree stiles after two years growth or as soon as trunk caliper exceeds width of foliage table.

© Michael Arnone Landscape Architecture - 2013
This drawing is the property of Michael Arnone Landscape Architecture and shall remain the property of the firm. It is to be used only for the project and location specifically identified hereon. It is not to be used for any other project without the prior written consent of Michael Arnone Landscape Architecture. No part of this drawing may be reproduced or transmitted in any form or by any means electronic or mechanical, including photocopying and recording, or by any information storage and retrieval system, without the prior written consent of Michael Arnone Landscape Architecture.



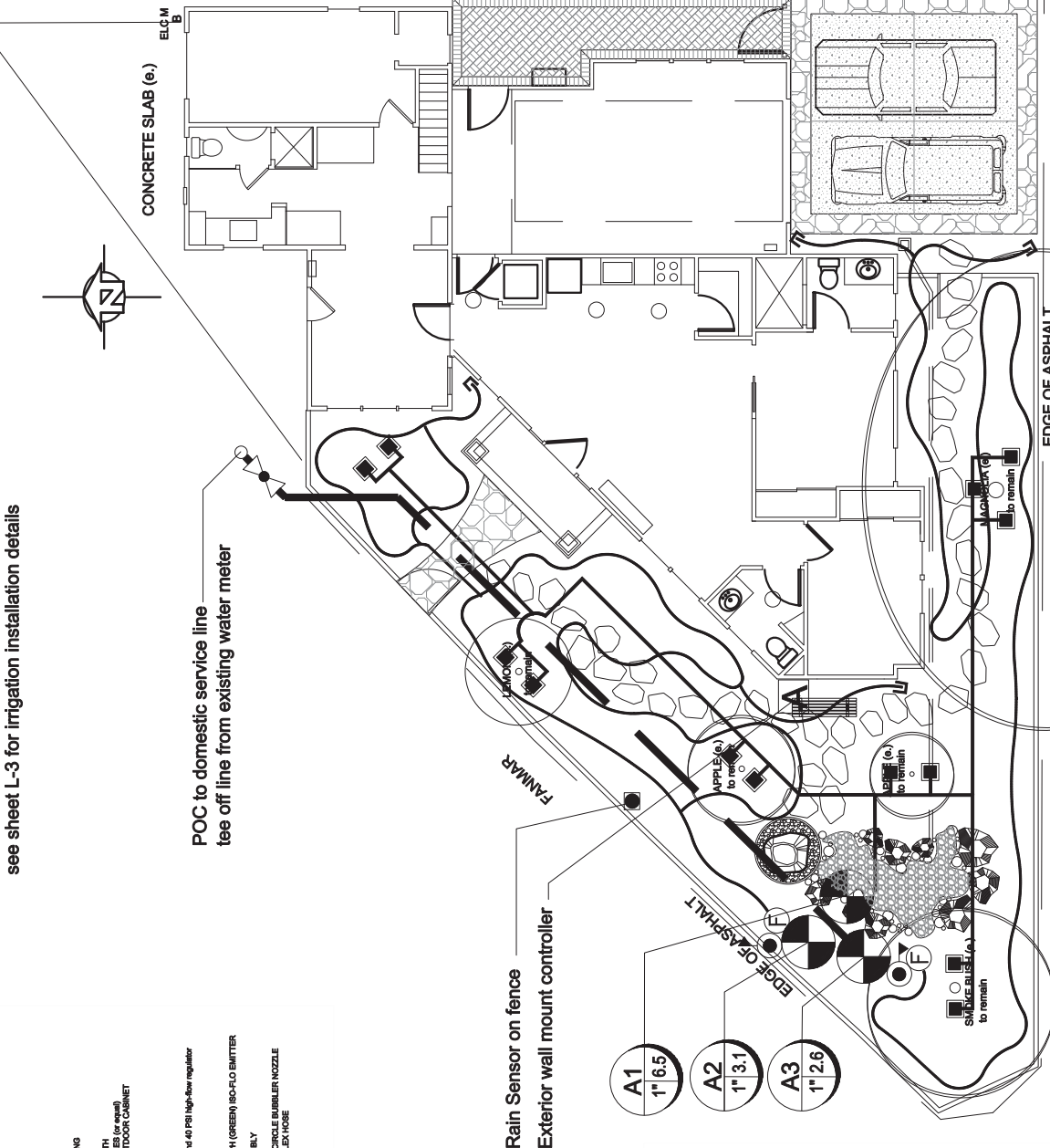
DATE: 11.6.13
PURPOSE: Irrigation

scale: 1/4" = 1' - 0"

sheet title: irrigation

sheet number: L-2 of three

see sheet L-3 for irrigation installation details



- DESCRIPTION
- 1" Irrigation Mainline
- 3/4" Irrigation Lateral
- 2" IRRIGATION SLABE UNDER PAVING OR SIZE AS REQUIRED
- LOCKE 6 STATION CONTROLLER WITH TWO 6 STATION EXPANSION MODULES (or equal) IN LOCKABLE STAINLESS STEEL OUTDOOR CABINET
- Rain Sensor
- 1" PVC BALL VALVE FOR MAINLINE
- 1" CVI valve with 1" NY100 Wye filter and 40 PSI High-flow regulator
- 3/4" drip tubing
- 1/2 GPH (RED), 1 GPH (BLACK), 2 GPH (GREEN) ISO-FLO EMITTER
- REMOVABLE DRIP END CAP ASSEMBLY
- PRESSURE COMPENSATING FULL CIRCLE BURBLER NOZZLE
- 1/2 GPH AT 20 PSI ON 1/2" CORRA FLEX HOSE

EMITTER SCHEDULE	
Manufacturer	Model #
RANBRD XB-4PC	Black
RANBRD XB-1PC	Black
RANBRD XB-2PC	Red
RANBRD XB-3PC	Red
RANBRD XB-2PC	Red

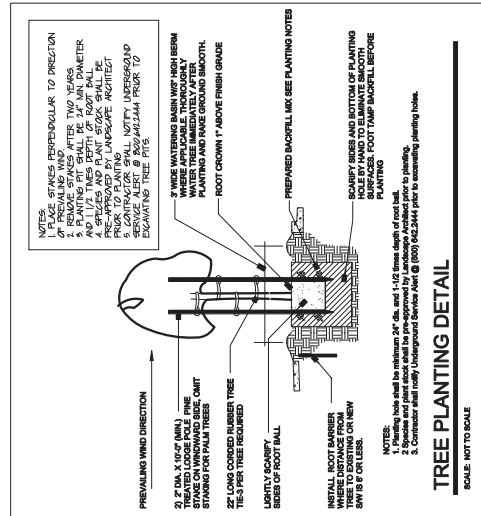
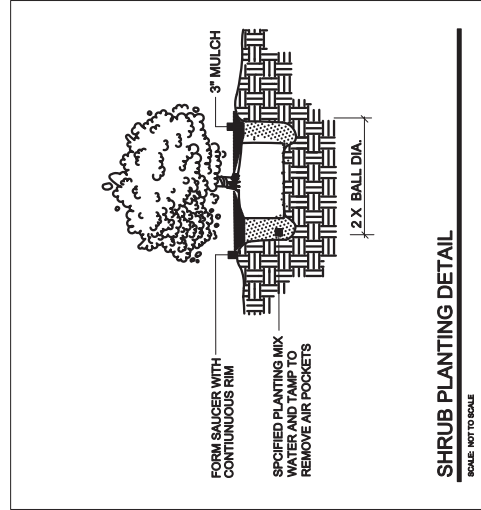
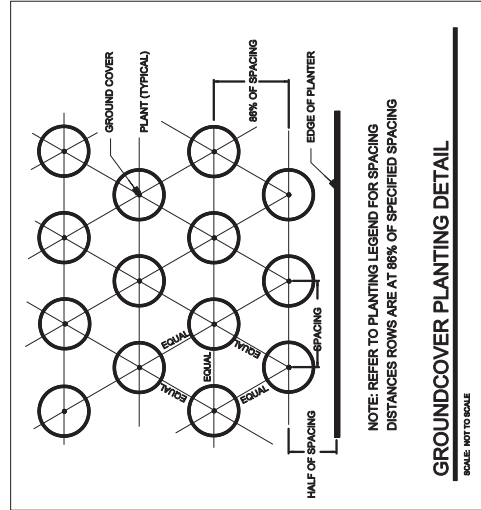
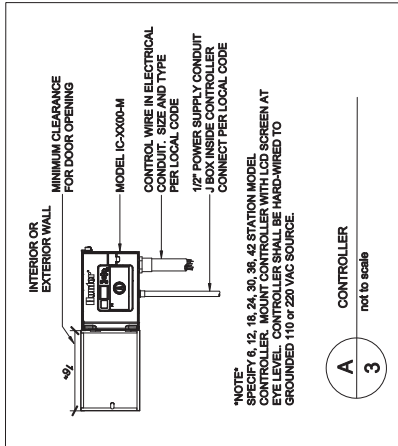
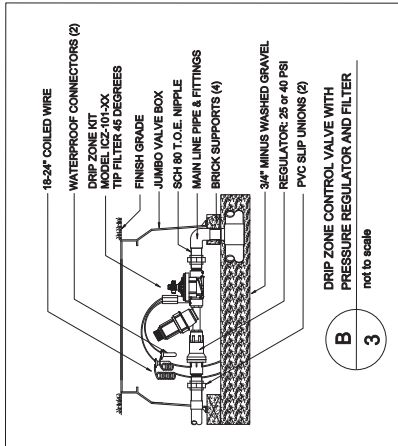
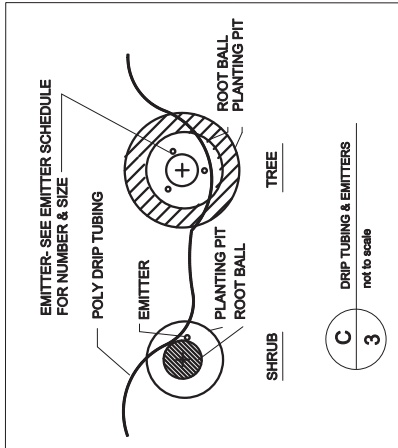
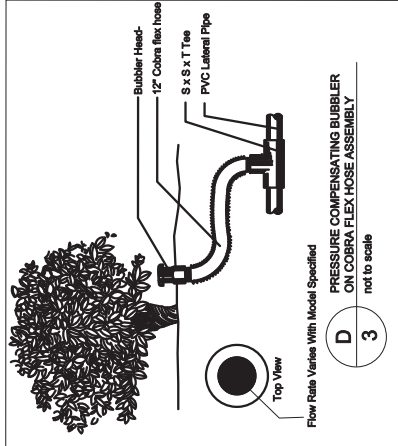
Station	Flow Rate
A1	1" 6.5
A2	1" 3.1
A3	1" 2.6

- IRRIGATION NOTES**
- Contractor shall notify USA (Underground Service Alert) at 800.662.2444 prior to start of any excavation or trenching.
 - Contractor shall provide all plans and documents pertaining to the project prior to the start of work to the contractor.
 - Contractor shall install irrigation system in accordance with all local codes and ordinances.
 - Design/Builder has been designed to operate at a maximum of 8.0 GPM per minute at 20 psi. Spray at a maximum 4.0 GPM at 40 psi. Irrigation contractor shall verify a static pressure of at least 65 p.s.i. at the point of connection prior to the installation of the irrigation system. Should the p.s.i. or the g.p.m. be insufficient to operate either system, contractor shall notify landscape architect and request review of design.
 - Point of connection shall be taken from the existing domestic service line to the house. The contractor shall tie off to the existing mainline.
 - Programming of the controller shall be the responsibility of the contractor for a period of thirty days after acceptance of work. All electrical connections for the controller shall be installed by a licensed electrical contractor. All work shall comply with the most current electrical and code at the time of installation.
 - Irrigation design to be submitted. Mainlines, valves, lateral and other irrigation equipment may be shown outside of the property lines.
 - Irrigation pipe surface. Mainlines and/or piping shall have 24" cover over pipe. Lateral lines and/or piping shall have 18" cover over pipe. Shelves shall be located as per plan. Minimum to planting beds shall have 12" of cover over pipe. Lateral lines (non pressure) shall be as follows: 3/4" O.D. - 10 GPH; 1" O.D. - 11 to 15 GPH; 1 1/4" O.D. - 16 to 25 GPH; 1 1/2" O.D. - 26 to 35 GPH; 2" O.D. - 36 to 65 GPH. Refer to Irrigation Legend and plan sheets for further details. All lateral lines shall be installed with a 2" cover over pipe.
 - Contractor shall provide all materials and labor for the installation of the irrigation system. All materials shall be installed with a 2" cover of work for service. Connections shall be made in accordance with the manufacturer's instructions.
 - Contract valve shall be 1/2" diameter 1/2" ball valve. Use lead for control valve and valve for control valve.
 - 1/2" drip tubing shall be installed at 9" intervals and have a minimum of one removable end cap assembly per station.



DATE	PURPOSE
11/14/13	Final Issue (10/16)

scale: **as not**
 sheet title: **detail**
 & not
 sheet number: **L -**
 of thrs: **of thrs**



THIS PAGE INTENTIONALLY LEFT BLANK

John Hofacre - Architect

1375 49th Ave., Capitola CA
831-464-2394 Lic. # 33439

To: City of Capitola
Katie Cattan, AICP
Senior Planner

Nov. 19, 2013

Re: The Vince and Sheryl Barabba Addition
209 Fanmar Way

Ms. Cattan,

Thank you for your efforts on our project

The roof above the Art Studio is a 'shed' shape. During the Architecture and Site Review meeting, on November 13, it was suggested that we look a different option for this roof portion. We reviewed a number of options and believe the proposed design best suits the owner's needs and, as a whole, is a compatible design.

The owner is an artist who uses the space as her art studio. She requested the proposed design.

- It provides for high north-facing windows and an angled ceiling to diffuse light over her work area.
- There are no high west-facing windows. These are difficult to control sunlight.
- It retains more of the existing structure than other designs and reuses the existing window
- The 'shed' shape is a minor element in the composition. The major (much more prominent) elements are the existing two story portion and the roof above the addition. Both of these are higher than the top of the Art Studio roof. Also the Art Studio roof is right next to and adjoins (and is subordinate to) the much larger existing two story.
- The minor 'shed' shape is repeated on the bedroom bay window.

We would like to change the Art Studio exterior walls to be like the addition with a stucco base and horizontal siding above.

The design, as proposed, was carefully considered and we request its approval.

Thank you,

John Hofacre

THIS PAGE INTENTIONALLY LEFT BLANK



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: DECEMBER 5, 2013

SUBJECT: **141 Magellan Street #13-153 APN: 036-192-20**
 Design Permit and Coastal Development Permit for remodel of existing single-family home in the R-1 (Single-Family) Zoning District.
 Environmental Determination: Categorical Exemption
 Owner: Gene Benson
 Representative: Roy Horn, filed: 11/4/2013

APPLICANT PROPOSAL

The applicant has submitted a Design Permit application for a 541 square-foot addition to an existing single-family home located at 141 Magellan Street. The project is located in the R-1 (Single-Family) zoning district. The applicant is proposing to convert the existing garage into living space, extend the rear wall of the home to accommodate a master bedroom, dining room, and fireplace, and add a new single car garage to the front façade of the home. An addition to the front façade of a home requires approval of a Design Permit by the Planning Commission.

BACKGROUND

On November 13, 2013, the Architectural and Site Review Committee reviewed the application.

- City Design Representative, Derek Van Alstine, approved of the plans and did not recommend any modifications.
- City Landscape Architect representative, Susan Suddjian, approved of the existing landscaping and did not recommend any modifications.
- City Public Works Director, Steve Jesberg, was unable to attend the meeting.
- City Building Inspector, Brian Von Son, approved of the plans and did not recommend any modifications.

Site and Structural Data

The project conforms with all R-1 (single family) zoning district standards, as follows:

Floor Area Ratio (FAR)		
Lot Size		6,000 sq. ft.
Maximum FAR Allowed	49%	2,940 sq. ft.
Proposed FAR	37%	2,223 sq. ft.
Proposed Square Footage		
Existing House		1,235 sq. ft.
Existing Garage		412 sq. ft.
Area removed		35 sq. ft.
Total Living Area		1,908 sq. ft.

Total Garage		315 sq. ft.
Floor Area		2,223 sq. ft.
Set Back		
	R-1 District	Proposed
Front	15'	23'
Front Garage	20'	23'
Rear	20% depth of lot: 20'	26' 6"
Side Yard	10% width of lot: 6'	6'
Building Height		
	R-1 District	Proposed
Residential	25'-0"	15'
Parking		
	Required	Proposed
Residential (2,001 sq. ft. – 2,600 sq. ft.)	3 spaces total Minimum 1 covered 2 uncovered	3 spaces total 1 covered 2 uncovered

DISCUSSION

The applicant is proposing an addition to the front and rear facades of the existing home. The existing garage will be converted to living space and a new single car garage will be added in front of the existing garage. The front yard setback for a garage in the R-1 District is 20 feet. The new garage is setback 23 feet from the front property line. On the back of the home, a 226 square foot addition will create more space within the master bedroom and dining room. The rear addition complies with the rear and side yard setbacks.

The existing siding is vertical re-sawn plywood boards with wood trim. The applicant is proposing to remove the existing siding and introduce beveled lap siding within the gable ends and 3 coat stucco to the exterior walls. Materials for the addition include a composite roof, wood garage door, and bronze colored aluminum windows throughout. A new wood front door and sidelight will be visible adjacent to the new garage.

Parking

The proposed 541 square foot addition is greater than 10% of the gross floor area of the existing home (1,720 sq. ft.). Per Capitola Municipal Code Section 17.15.130.A.9, “no additional square footage exceeding 10 percent of the existing gross floor area may be added to an existing single-family residential unit, unless minimum parking requirements are met.” Three parking spaces are required for the 2,322 square foot home, including 1 interior space and 2 exterior spaces. Interior parking spaces are required to be a minimum of 10 feet wide by 20 feet deep. The application complies with the parking requirements with 1 interior space provided in the new single car garage and 2 exterior parking spaces within the driveway.

Landscaping

The applicant is not proposing any new landscaping on the site. There are established landscape beds with drip irrigation along the front and rear property lines. Existing landscaping includes a mix of bamboo, agapanthus, abutilon, coreopsis, lavender, pitspori, and a rose bush. The applicant plans to install an automated irrigation system for the lawn.

CEQA REVIEW

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% of the existing structure or more than 2,500 square feet, whichever is less. This project involves a 509 square foot addition to an existing home

located in the single family residential (R-1) zoning district. No adverse environmental impacts were discovered during review of the proposed project.

RECOMMENDATION

Staff recommends the Planning Commission **approve** project application #13-153 based on the following Conditions and Findings for Approval.

CONDITIONS

1. The project approval consists of construction of a 541 square-foot addition to an existing single family home. The maximum Floor Area Ratio for the 6,000 square foot property is 49% (2,940 square feet). The total FAR of the home with new addition is 37% with a total of 2,223 square feet, 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 December 5, 2013, 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 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.
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 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.
7. Prior to issuance of building permit, all Planning fees associated with permit #13-153 shall be paid in full.
8. 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.
9. 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.
10. 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.

Item #: 4.B. 13-153 141 Magellan Street Staff Report.pdf

11. 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).
12. 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.
13. 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.
14. 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
15. 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.
16. 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.
17. 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.
18. 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.
19. 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, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the addition to the single family home. The project conforms to the development standards of the R-1 (Single Family Residence) Zoning

Districts. Conditions of approval have been included to carry out 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 Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the addition to the single family home. The project conforms to the development standards of the R-1 (Single Family Residence) Zoning District. Conditions of approval have been included to ensure that the project maintains the character and integrity of the neighborhood. The proposed addition to the single-family residence compliments the existing single-family homes in the neighborhood in use, mass and scale, materials, height, and architecture.

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

This project involves an addition to an existing single-family residence in the R-1 (single family residence) Zoning District. Section 15301 of the CEQA Guidelines exempts minor additions to existing single-family residences in a residential zone.

ATTACHMENTS

A. Project Plans

**Report Prepared By: Katie Cattan
Senior Planner**

THIS PAGE INTENTIONALLY LEFT BLANK

SCOPE OF WORK

- ADDITION AND REMODEL OF EXISTING SINGLE FAMILY DWELLING AT 141 MAGELLAN STREET, CAROLINA. ADDITION AND REMODEL INCLUDES:
 - EXISTING LIVING ROOM TO BE REMODELED INTO A MASTER BEDROOM SUITE
 - EXISTING MASTER BATH AND BATH #1 TO BE COMBINED TO CREATE BATH #1
 - REMODEL EXISTING KITCHEN
 - CONVERT EXISTING TWO GARAGE INTO LIVING ROOM, LAUNDRY ROOM WITH 1/2 BATH
 - NEW SINGLE CAR GARAGE REPLACES EXISTING 2-CAR GARAGE
 - 2 FT OF RESIDENCE TO BE REMOVED ALONG NORTH SIDE OF EXISTING MASTER BEDROOM & MASTER BATH; 35.50 FT TOTAL REMOVED.

2. SQUARE FOOTAGE OF REMODEL

	EXISTING	REMODELLED	ADDITION	REMOVED
NETA SF				
A. HOUSE	1285	462	244	35.50 FT
B. GARAGE	412		302	

3. FINAL SQUARE FOOTAGES AFTER REMODEL

A. HOUSE	1508.50 FT
B. GARAGE	35.50 FT

4. LOT COVERAGE

A. LOT AREA	6000.50 FT
B. LOT COVERAGE	2210.50 FT
C. PARCEL COVERAGE	30%

5. GRADING - 10 YARDS

- PROVIDE PERIMETER DRAINAGE SYSTEM, CONVEY ALL RAINWATER RUNOFF TO A CLOSED PLASTIC CONDUIT SYSTEM RELEASED TO AN APPROPRIATE LOCATION
- THESE DRAWINGS ARE AN INSTRUMENT OF SERVICE AND THE PROPERTY OF ROY HORH DESIGN WHICH RESERVES ITS COMMON LAW COPYRIGHT AND OTHER PROPERTY RIGHTS IN THESE PLANS. THESE PLANS ARE NOT TO BE REPRODUCED, CHANGED, OR COPIED IN ANY FORM OR MANNER. ALSO, THEY ARE NOT TO BE ASSIGNED TO ANY THIRD PARTY WITHOUT FIRST OBTAINING THE EXPRESSED WRITTEN PERMISSION AND CONSENT OF ROY HORH DESIGN

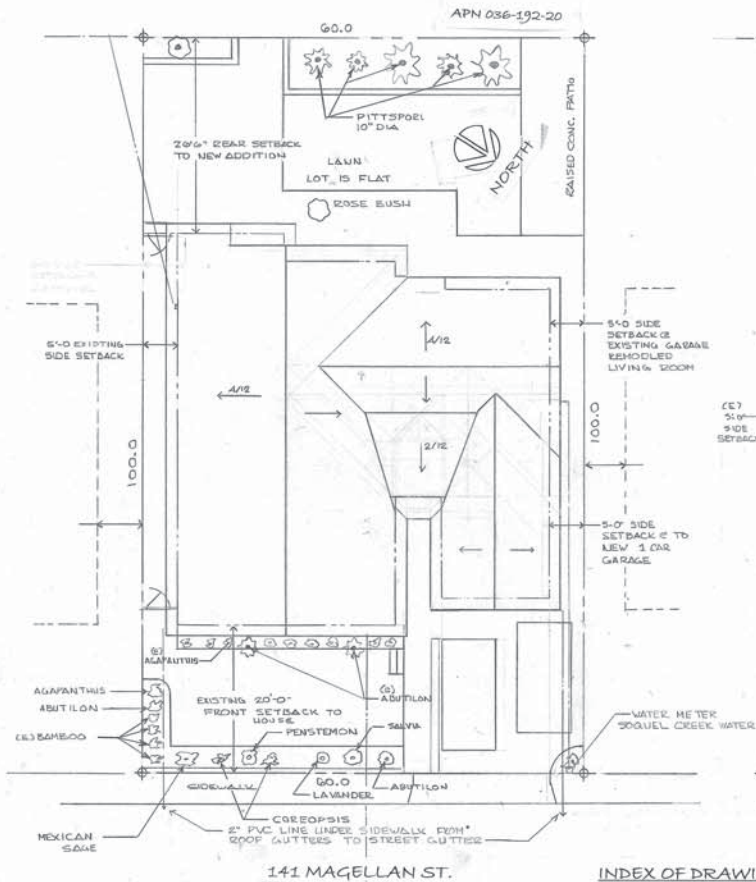
6. DRAINAGE & EROSION CONTROL NOTES

- DURING CONSTRUCTION, NO TURBID WATER SHALL BE PERMITTED TO ENTER THE CHANNEL OR STORM DRAIN SYSTEM. USE OF SILT FILTER BERMS, HAY BALES OR SILT FENCES SHALL BE USED TO PREVENT SUCH DISCHARGE.
- ALL AREAS ON AND OFF-SITE EXPOSED DURING CONSTRUCTION ACTIVITIES, IF NOT PERMANENTLY LANSCAPED PER PLAN, SHALL BE PROTECTED BY MULCHING AND/OR PLANTING OF THE FOLLOWING SCS APPROVED EROSION CONTROL MIX AT A RATE OF 55 LBS PER ACRE:
 - BLANDS ERBAME 50%
 - ROSE CLOVER (PELLET INOCULATED) 25%
 - CHRYSEAL REEF FESCUE 15%
 - ZORRO ANNUAL FESCUE TRACE
 - WILDFLOWERS TRACE
- ALL EXCAVATED MATERIAL SHALL BE REMOVED TO AN APPROVED DISPOSAL SITE OR DISPOSED OF ON-SITE IN A MANNER THAT WILL NOT CAUSE EROSION.
- ANY MATERIAL STOCKPILED ON-SITE SHALL BE COVERED WITH PLASTIC, ESPECIALLY DURING THE WINTER MONTHS OR DURING PERIODS OF RAIN.
- UPON COMPLETION OF CONSTRUCTION, ALL REMAINING EXPOSED SOILS SHALL BE PERMANENTLY REVEGETATED PER LANSCAPING PLAN.
- IT IS THE DEVELOPER'S RESPONSIBILITY TO SEE THAT ADDITIONAL MEASURES, NECESSARY TO CONTROL SITE EROSION AND PREVENT SEDIMENT TRANSPORT OFF-SITE, ARE IMPLEMENTED.
- KEEP ALL DRAINAGE FACILITIES FREE OF SILT AND DEBRIS.

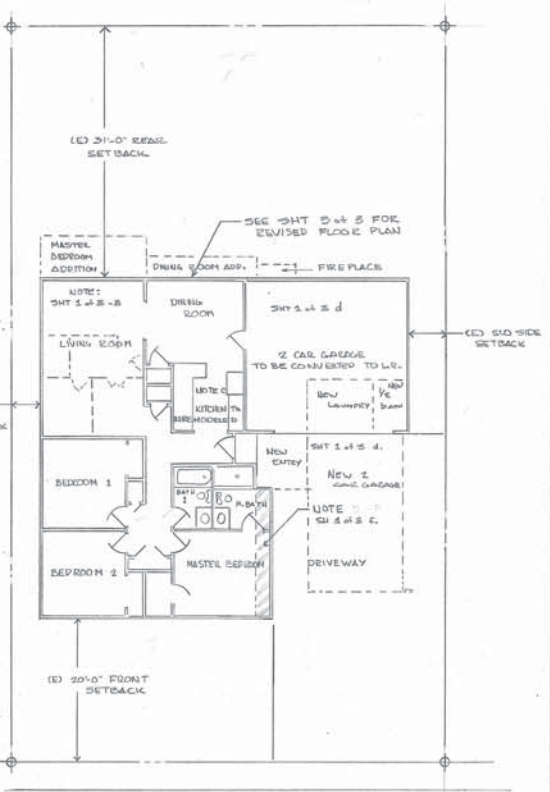
LANDSCAPING NOTES:

- ALL LANDSCAPING IS EXISTING
- DRIP IRRIGATION IS EXISTING
- LAWN AND SPRINKLER IRRIGATION TO BE ADDED
- ALL IRRIGATION TO BE ON AUTOMATED TIMERS.

SITE PLAN
SCALE 1/8"=1'-0"



EXISTING FLOOR PLAN 1/8"=1'-0"



INDEX OF DRAWINGS

- SITE, GRADING, & DRAINAGE PLAN
- EXTERIOR ELEVATIONS & CROSS SECTIONS
- FLOOR PLAN

REVISIONS	BY

Item #. 4.B. Attachment A. Plans.pdf

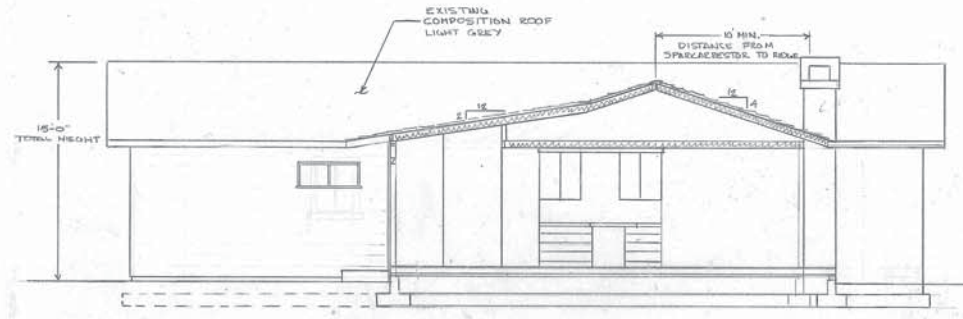
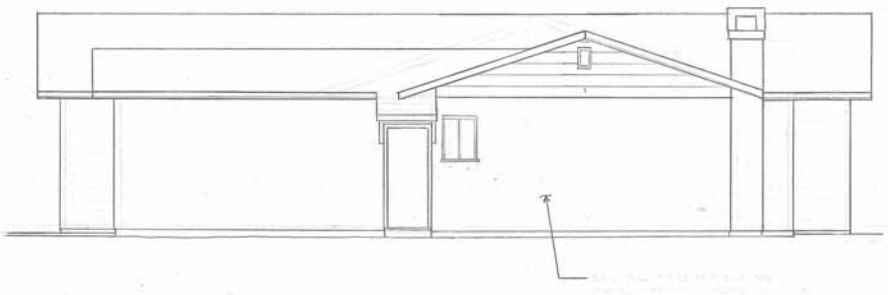
Date	30
Scale	NF
Drawn	NF
Job	HCH 1221
Sheet	1
Of	1

REVISIONS	
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	
31	
32	
33	
34	
35	
36	
37	
38	
39	
40	
41	
42	
43	
44	
45	
46	
47	
48	
49	
50	
51	
52	
53	
54	
55	
56	
57	
58	
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
70	
71	
72	
73	
74	
75	
76	
77	
78	
79	
80	
81	
82	
83	
84	
85	
86	
87	
88	
89	
90	
91	
92	
93	
94	
95	
96	
97	
98	
99	
100	

NORTH ELEVATION
SCALE: 1/8"=1'-0"

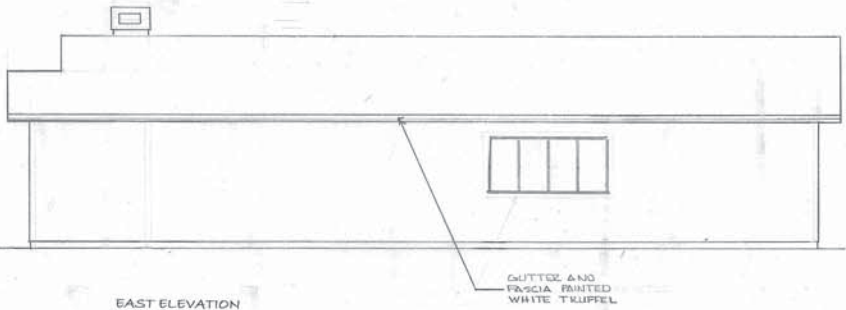


WEST ELEVATION
SCALE: 1/8"=1'-0"

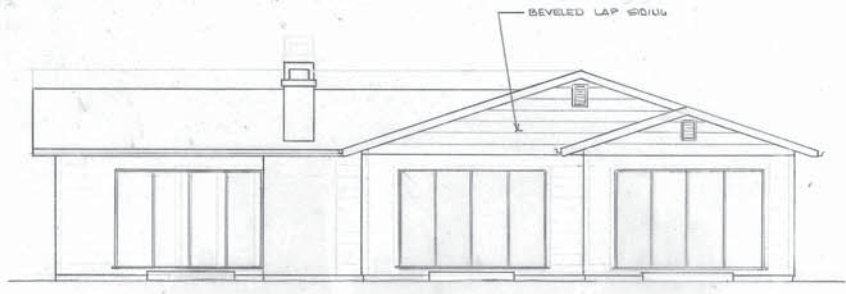


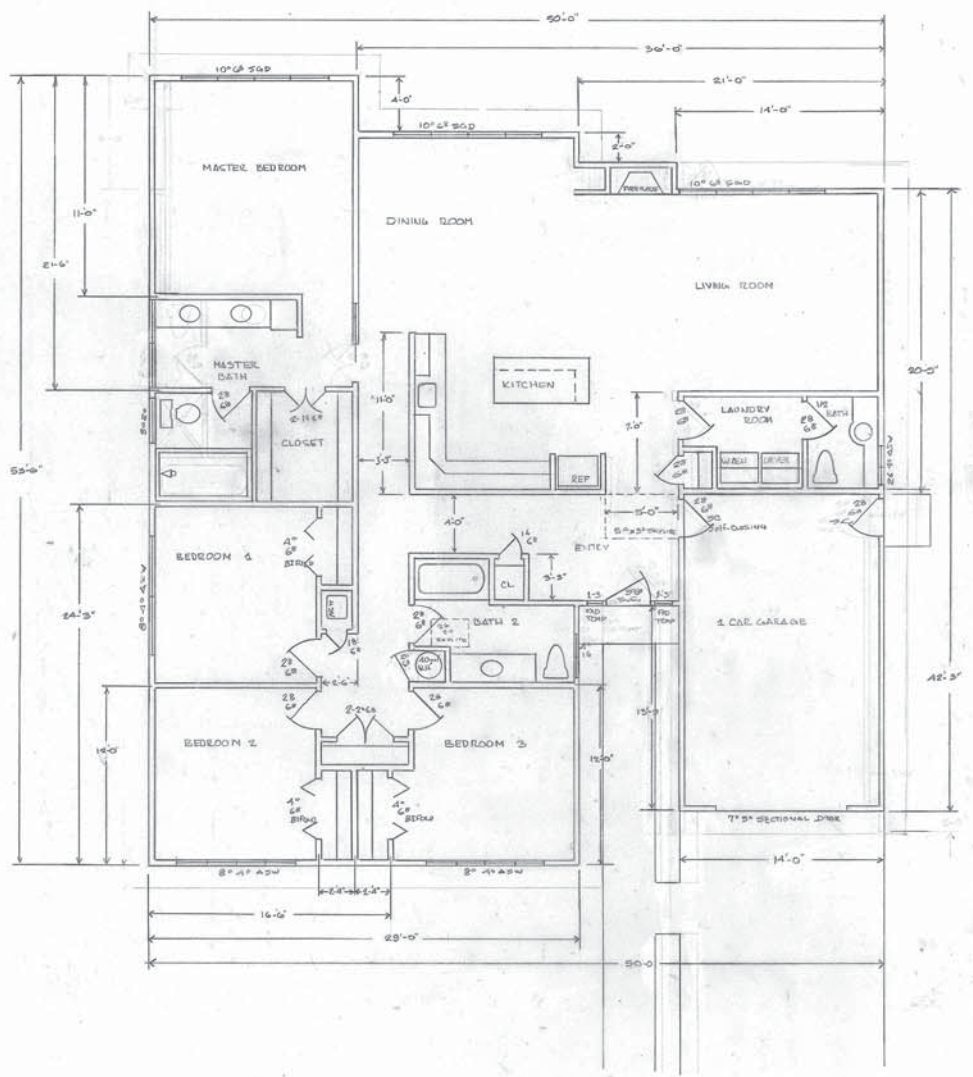
HORN RESIDENCE
CROSS SECTION
SCALE: 1/4"=1'-0"

EAST ELEVATION
SCALE: 1/8"=1'-0"



SOUTH ELEVATION
SCALE: 1/8"=1'-0"





HORN RESIDENCE
1ST FLOOR
SCALE 1/4"=1'-0"

REVISIONS	BY

HORN RESIDENCE
 DWG NO: 1515151515
 1515151515
 1515151515

Date	5-15-10
Scale	1/4" = 1'-0"
Drawn	J. M. [Signature]
Job No.	1515151515
Sheet	01

Item #: 4.B. Attachment A. Plans.pdf

THIS PAGE INTENTIONALLY LEFT BLANK

Colors and Materials: 141 Magellan Street



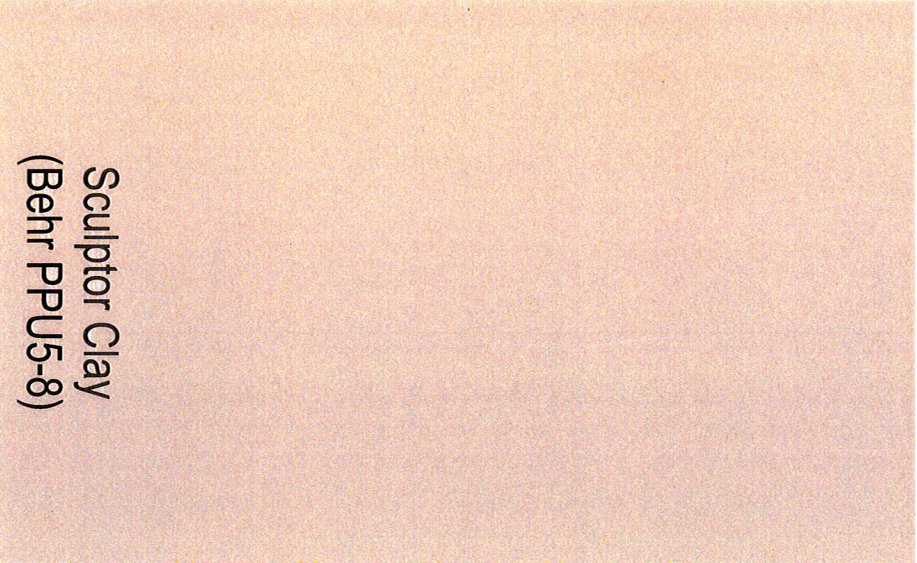
Colors: 141 Magellan Street

Siding & Garage

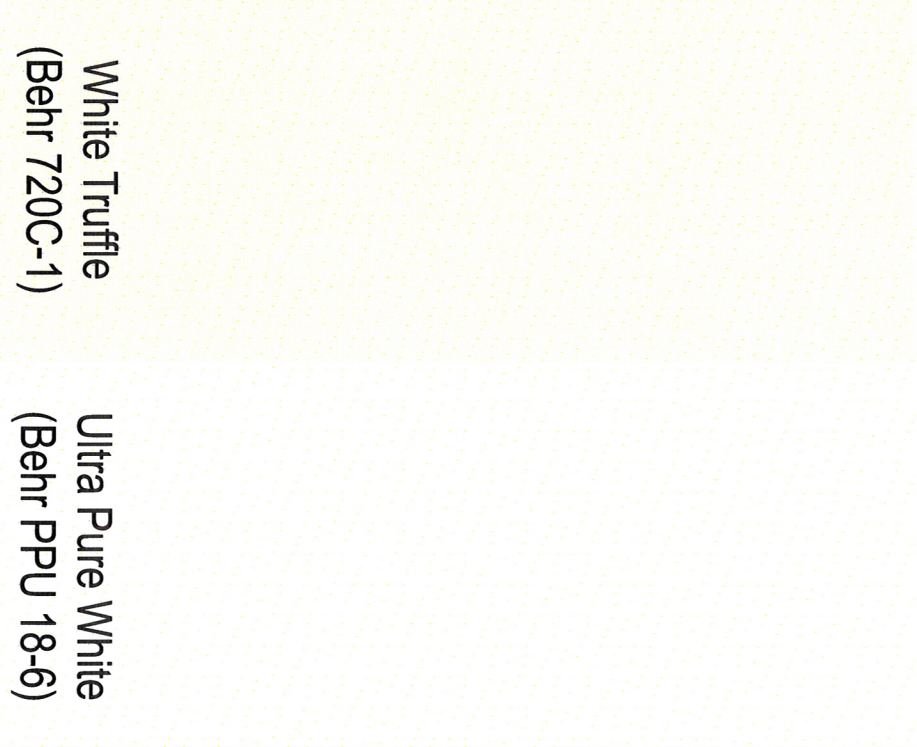
Fascia

Overhangs

Front Door

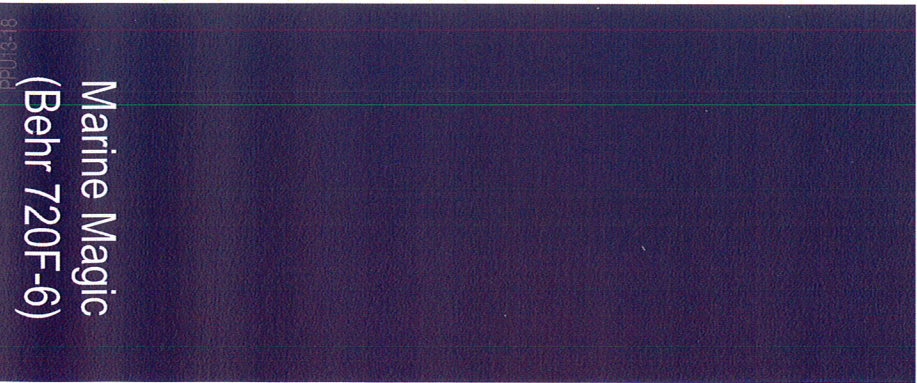


Sculptor Clay
(Behr PPU5-8)



White Truffle
(Behr 720C-1)

Ultra Pure White
(Behr PPU 18-6)



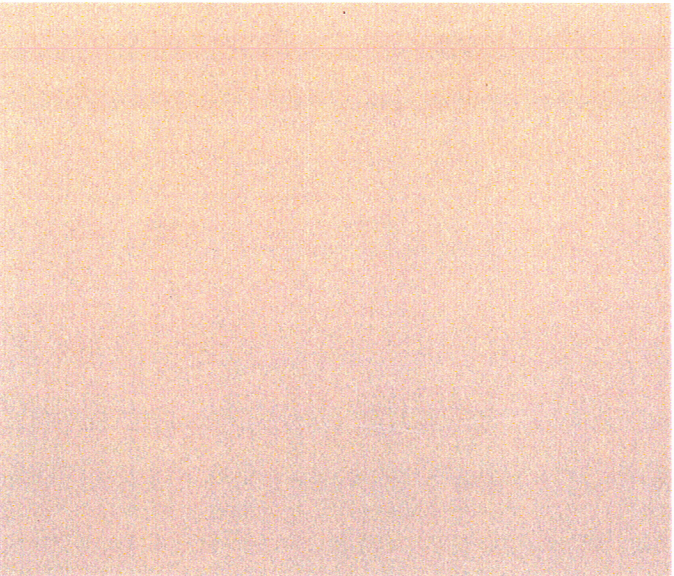
Marine Magic
(Behr 720F-6)

81-9110d

Materials: 141 Magellan Street

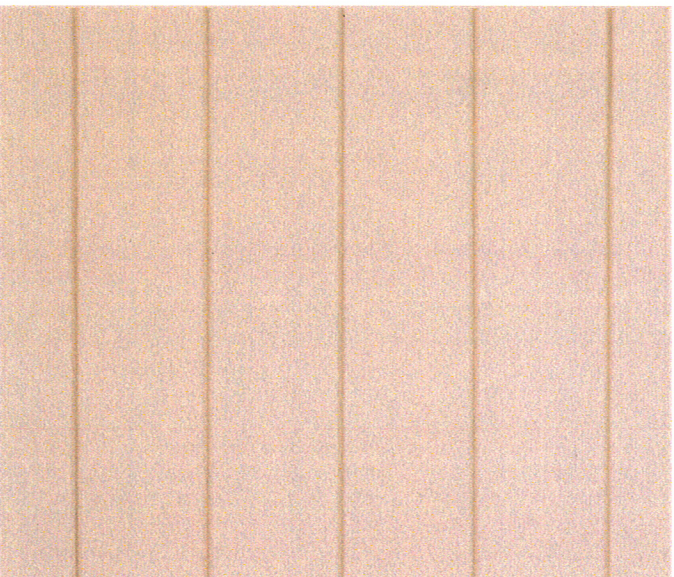
Lower Siding:

Flat Stucco



Upper Siding:

Fiber Cement Lap Siding



Composite Roof



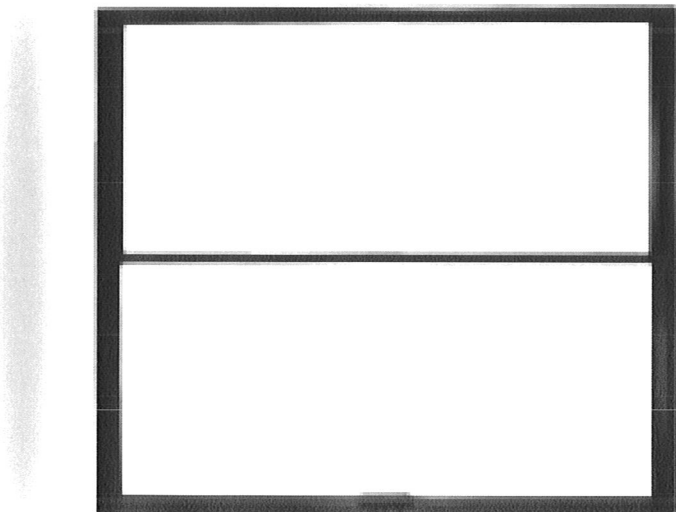
Current Siding: Resawn Plywood

Materials: 141 Magellan Street

Steel Garage Door with
Foam Core



Aluminum Windows &
Doors





STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: DECEMBER 5, 2013

SUBJECT: **723 El Salto Drive #13-155 APN: 036-143-35**

Coastal Development Permit and Minor Land Division to create two lots of record, and request for a two-year extension to the previously approved Minor Land Division to convert four apartment units to condominiums in the R-1/VS (Single Family/Visitor Serving) Zoning District.

This project 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

Owner: Doug Dodds

Representative: Thatcher & Thompson, filed: 11/5/2013

APPLICANT PROPOSAL

The applicant is requesting approval of a Coastal Development Permit and Minor Land Division to create two lots of record at 723 El Salto Drive in the R-1/VS (Single Family/Visitor Serving) zoning district. The existing parcel contains a 4-unit apartment building, a single-family house, and a carport. The applicant is also requesting a two-year extension for the previously approved tentative map (application #10-082) to convert four apartment units into condominium units.

BACKGROUND

On February 4, 2010, the Planning Commission approved a Coastal Permit and a two-lot Minor Land Division at 723 El Salto Drive (Application 08-041). The approved Minor Land Division allowed the 35,809 square-foot property to be divided into two lots: a 5,850 square-foot lot for the existing single-family home and a 29,959 square-foot lot for the four-unit apartment building. Within the prior approval, the existing carport structure was required to be demolished and a new 4-car carport constructed within the established landscape area in front of the 4-unit apartment building. On March 1, 2012, the Planning Commission granted a one-year extension of the two-lot minor land division (08-041). That application expired on March 1, 2013. The current application is a variation of the expired two-lot minor land division application.

The Planning Commission had concurrently reviewed a second Minor Land Division application (10-082) to convert the four-unit apartment within Parcel B to individual condominium units. The Planning Commission approved the Minor Land Division application on January 20, 2011, and a one-year extension of the application on January 17, 2013. The applicant is seeking approval of a second extension for application 10-082.

Item #: 4.C. 13-155 723 El Salto Drive Staff Report.pdf

On November 13, 2013, the Architectural and Site Committee reviewed the application:

- City Design Representative Derek Van Alstine complimented the modification to preserve the established landscaping and did not ask for any modifications.
- Historic Preservation Representative Carolyn Swift was unable to attend the meeting. She asked staff that the applicant submit additional information regarding the history of the single-family home onsite. The applicant submitted a brief narrative on the history of the single-family home.
- City Landscape Architect representative Susan Suddjian complimented the modification to the layout to preserve the existing landscaping and did not request any modifications.
- City Building Inspector Brian Von Son did not request any modifications.
- City Public Works Director Steve Jesberg was unable to attend the meeting.

DISCUSSION

Two Lot Minor Land Division

The applicant modified the layout of the lot boundaries to preserve the established landscaping in front of the four-unit apartment and rebuild the required carport within the same general area as it exists today (shifted 8 feet to the east). To do so, the minor land division establishes a flag lot for Parcel A which will accommodate a 60 foot long driveway leading to the single-family home. Parcel A is 6,480 square feet. Parcel B is 28,959 square feet, including the 2,038 square-foot view easement and the 10,043 square-foot unbuildable bluff area. The existing four-unit apartment and the future carport will be located within Parcel B.

Within a minor land division application, new lots must comply with Section 16.24.170(A-G) of the Municipal Code as follows:

A. The size and shape of lots shall be in conformance to any zoning regulations effective in the area of the proposed subdivision.

The subdivision is located in the VS/R-1 dual zoning district. Dual zoning means that the uses and development standards of the V-S district apply, although uses allowed by the other district may also be permitted through approval of a conditional use permit, and the Planning Commission may apply development standards from the other zoning district in lieu of or as well as the V-S district, as determined through architectural and site review.

Per 17.30.090, the minimum lot area requirement for the VS district is 5,000 square feet. Both lots comply with the minimum required lot size of 5,000 square feet. The VS district specifies that a single-family home must be consistent with the development standards of the R-1 zoning district and a multi-family must be consistent with the RM-LM standards. The R-1 zoning district lot area is a minimum of 5,000 square feet and allows one unit per lot. The RM-LM zoning district requires 4,400 square feet per dwelling unit.

While the single-family house is currently legal nonconforming in regards to setbacks, the Subdivision Map Act permits the structure to remain nonconforming as part of the subdivision approval. Any future development on the site will be required to come into conformance with current design and development standards. There is not new non-conformity or increase of an existing non-conform caused by this application.

B. The side lines of all lots, so far as possible, shall be at right angles to the street which the lot faces, or radial or approximately radial if the street is curved.

The access to the lot is at a right angle to the street but does not include the entire side line of the lot. The applicant is proposing a flag lot to preserve the landscaping in front of the 4-plex and rebuild the carport in close proximity to the existing location.

- C. The planning commission may require that building set back lines shall be indicated by dotted lines on the subdivision map.
The applicant has not included building set back lines on the subdivision map; however, adequate setbacks can be provided through the proposed lot design.
- D. No lot shall be divided by a city boundary line.
The parcel is entirely within the City boundary.
- E. Lots without frontage on a dedicated public street of twenty feet or more will not be permitted.
All lots would provide frontage to a dedicated public street of twenty feet or more.
- F. Lots other than corner lots may front on more than one street where necessitated by topographic or other unusual conditions.
Not applicable.
- G. In riparian corridors no lots may be created which do not contain adequate building area outside the riparian or stream setback.
Not applicable.

Parking

The single-family residential use on Parcel 1 complies with the parking requirement of two off-street parking spaces. The four-unit apartment on Parcel 2 will comply with the parking requirement of one covered space for each unit, plus one and one-half additional spaces on the site for each dwelling once the new carport is constructed. Each unit will have one covered space within the carport and one tandem assigned uncovered space. In addition, two guest spaces will be provided to meet the requirement.

Street Improvements

The site is located in a curb, gutter, and sidewalk exempt area. Therefore, street improvements will not be required as part of the subdivision.

Future Development Potential

Per the current VS/R-1 zoning designation, the single-family house on Parcel 1 is a permitted use. A change in use could be proposed within the VS overlay district to a range of visitor serving uses. Any future change in use would require approval of a conditional use permit by the Planning Commission. However, with the proposed lot size (5,850 square feet) it is likely that only a single-family use would be appropriate. Also, any expansion of the existing single-family home or change of use would require additional historic research completed by a specialist to identify if the home is a historic resource.

Duration of Approval

Per the Subdivision Map Act Section 66452.6.a.1, a conditionally approved tentative map shall expire 24 months after approval or conditional approval. If approved, the tentative map shall expire on December 5, 2015.

Extension of Minor Land Division of 4-unit Apartment

The approved tentative map for the four-unit apartment into condominium units (application 10-082) will expire January 20, 2014. Per Section 66452.6e of the Subdivision Map Act, a conditionally approved tentative map may be extended up to a period or periods not exceeding six years. Both the Capitola Municipal Code Section 17.81.160 and Coastal Zone Ordinance Section 17.46.120 state that a request for an extension may be granted upon a finding that no relevant substantial change of circumstances, regulations or planning policies has occurred and that such extension would not be detrimental to the purpose of the certified local coastal program and zoning ordinance. Since neither

Item #: 4.C. 13-155 723 El Salto Drive Staff Report.pdf

the physical characteristics of the lot nor the zoning ordinance has changed since approval of the permit, staff supports the request for an extension.

Staff suggests that the Planning Commission consider a two-year extension of Application 10-082 through December 5, 2015.

CEQA REVIEW

Section 15315 of the CEQA Guidelines exempts Minor Land Divisions in urbanized areas zoned for residential use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent. This project involves a two lot Minor Land Division that is in compliance with zoning and the General Plan. No adverse environmental impacts were discovered during review of the proposed project.

RECOMMENDATION

Staff recommends the Planning Commission **approve** project application #13-155 and a two-year extension of application #10-082 based on the following Conditions and Findings for Approval.

CONDITIONS

1. The project consists of the subdivision of a 35,439 square-foot lot into two residential lots in the VS/R-1 (Visitor Serving/Single-Family Residence) Zoning at 723 El Salto Drive. The application proposes to create two lots. Parcel A is a 6,480 square-foot flag lot which will include the single-family house. Parcel B is a 28,959 square-foot lot containing the existing four-unit apartment building. The single-family house will remain in its current location. The existing carport structure will be demolished and a new 4-car carport constructed near the existing location yet entirely within Parcel B.
2. The applicant has also requested an extension of the approved tentative map for the four-unit apartment into condominium units (application 10-082) that will expire on January 20, 2014. No relevant substantial change of circumstances, regulations or planning policies has occurred since the original approval and such extension would not be detrimental to the purpose of the certified local coastal program and zoning ordinance. With the two-year extension, the final map for the four-unit condominium must be recorded prior to December 5, 2015.
3. No structures will be developed within the view easement of Parcel B.
4. No existing trees are permitted to be removed within this application.
5. Prior to issuance of a building permit, a Coastal Permit and Design Permit for a new carport constructed entirely within the boundary of Parcel B must be approved by the Planning Commission.
6. Prior to recordation of final map, a new 4-car carport must be constructed entirely within the boundary of Parcel B. Onsite improvements must be completed to the satisfaction of the Community Development Director.
7. Prior to the recordation of final map, the applicant shall submit new legal descriptions for the two lots for review by the Community Development Department.

8. Prior to recordation of final map, all utility easements shall be provided on the parcel map in a configuration which meets the requirements of the utility companies and the City of Capitola Public Works Director.
9. Prior to recordation of final map, the owner shall contact the Capitola U.S. Postmaster to locate in the subdivision placement of "Neighborhood Delivery and Collection Boxes (NDCBU's). Any required easements shall be dedicated and shown on the parcel map within a public utility easement, as approved by City Staff and the Postmaster.
10. Prior to the recordation of final map, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director.
11. Prior to recordation of final map, all Planning fees associated with permit #13-155 shall be paid in full.
12. The tentative map for the two-lot minor land division and extension of the minor land division for the four-unit apartment into condominiums shall expire 24 months from the date of approval. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.

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 is consistent with the Subdivision Map Act and local Subdivision Ordinance.**

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

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

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

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

the permit to December 5, 2015, 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 second extension of said permit is appropriate.

ATTACHMENTS

- A. Minor Land Division Tentative Map
- B. Letter from Applicant
- C. 2011 Approved Tentative Map of 4-unit Apartment
- D. Coastal Findings

**Report Prepared By: Katie Cattan
Senior Planner**

DODDS RESIDENCE



PROJECT DATA

PROPERTY OWNER:

DOUGLAS DODDS
P.O. BOX 510
CAPITOLA, CA 95010

PROJECT ADDRESS:

723 EL SALTO DRIVE

APN:

036 - 143 - 35

ZONE DISTRICT:

VS - R - 1, COASTAL ZONE

ARCHITECT:

THACHER & THOMPSON ARCHITECTS
877 CEDAR STREET
SANTA CRUZ, CA 95060
(831) 457-3939

SURVEYOR:

BOWMAN & WILLIAMS
1011 CEDAR STREET
SANTA CRUZ, CA 95060
(831) 426-3560



EXISTING SITE - PROJECT DATA

1
APN: 036-143-35

DODDS RESIDENCE - 723 EL SALTO DRIVE, CAPITOLA, CA 95010 - CARPORT AND PARKING

THACHER & THOMPSON ARCHITECTS

NOVEMBER 28, 2013



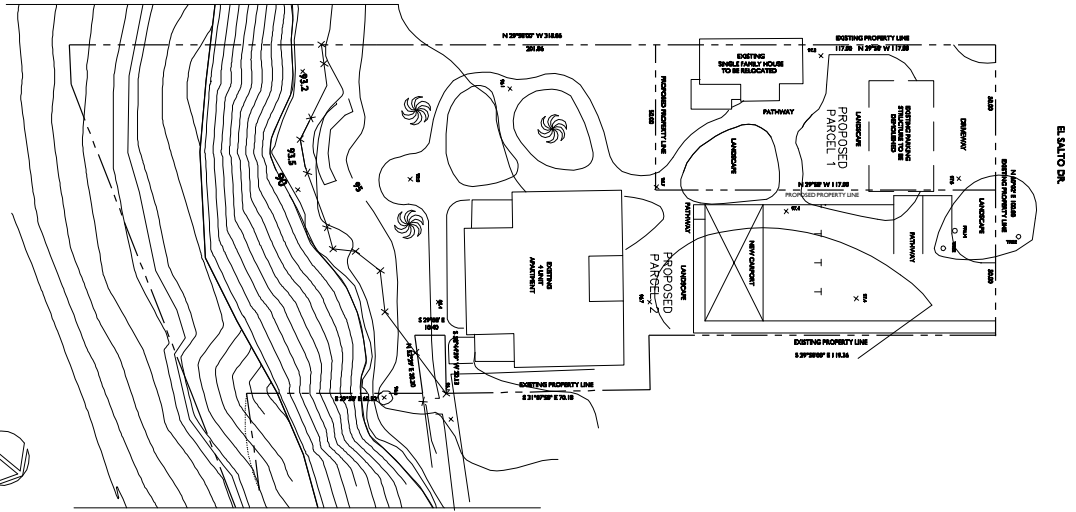
2

APN: 036-143-35

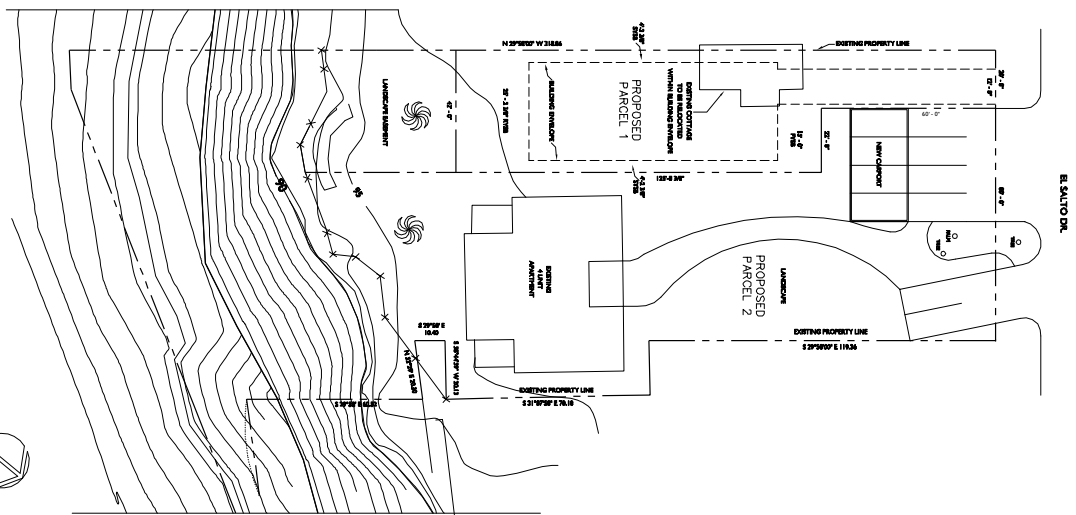
DODDS RESIDENCE - 723 EL SALTO DRIVE, CAPITOLA, CA 95010 - CARPORT AND PARKING

SITE PLANS

1 EXISTING SITE PLAN



2 PROPOSED SITE PLAN



THACHER & THOMPSON ARCHITECTS
NOVEMBER 20, 2013



October 22, 2013

Doug Dodds
P.O. Box 510
Capitola, CA 95010

Subject: 723 El Salto Drive

This application by Mr. Dodds proposes to adjust the property boundaries for a new lot that was previously approved by the City. The approved lot had dimensions of 50' x 117', with frontage on El Salto drive. The unfortunate result, however, was the relocation of the four-car carport on the remainder parcel. The only workable spot for the carport was a location in the middle of the attractive landscaped front yard of the existing four-plex.

The alternative configuration of the new lot uses a flag-lot geometry. This allows the carport to remain in nearly its present location, thus preserving the well established landscaped front yard. The newly dimensioned lot is somewhat narrower, with a net lot size of 42' x 125.7'. This size provides a building envelope that is sufficient for a well designed house within the parameters of the zoning ordinance. The lot also provides opportunities to move the existing cottage within the building envelope if it is to be relocated.

Views along the coast are preserved for all parties with a landscape easement between the new lot and the bay. Although the new lot would have less than the standard 50' residential lot width, lots of this size are commonplace in the Depot Hill neighborhood. And, this reduced width and flag-lot configuration have the benefit of allowing the adjacent carport to be located more sensitively. The resulting preservation of the landscape character of the neighborhood provides the needed justification for approval.

Item #: 4.C. Attachment B. Letter from Mr. Dodds.pdf

November 20, 2013

Doug Dodds

P.O. Box 510

Capitola, CA. 95010

Subject: 723 El Salto Drive Historic Evaluation

Evaluated as an individual property, the cottage does not appear to meet the criteria for listing in the National Register of Historic Places, the California Register of Historical Resources, or the Capitola Register of Historic Features. Although the cottage is associated with the development of Capitola as a coastal resort community, it is unable to illustrate this historic context, and thus it cannot be considered significant in relation to events that contributed to the broad patterns of local or regional history. Similarly, the property is not significant for its association with a person known to have distinguished himself in a meaningful way. Lewis Hanchett was a successful mine operator who went on to add to his fortune by reorganizing and running the San Jose & Santa Clara Railroad; developing large properties in San Jose, Los Angeles, and San Francisco; and investing in New Mexico oil. But though he made a lot of money, his activities are not demonstrably important within a specific historical context, and, moreover, there is no direct association between the property and Hanchett's achievements as a mining operator and financier. Architecturally, the cottage is a simple vernacular building lacking in all elements of stylistic identity and possessing no distinctive characteristics of a period or method of construction.

A minor element of a large complex that, over time, has undergone a radical transformation and lost its historical integrity, the cottage does not rise to a level of significance to warrant listing in the National Register of Historic Places, the California Register of Historical Resources, or the Capitola Register of Historic Features.

DOUG DODDS

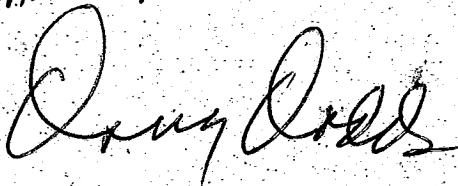
11-5-13

SUBJECT: MODIFICATION & EXTENSION

DEAR COMMISSIONERS

PLEASE MODIFY AND EXTEND APPROVAL # 10-82
FOR COURT CONVERSION ON 036-14-35 FOR
TWO YEARS.

THANK YOU



THIS PAGE INTENTIONALLY LEFT BLANK



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: JANUARY 11, 2011 (AGENDA: JANUARY 20, 2011)

SUBJECT: **723 EL SALTO DRIVE** **#10-082** **APN: 036-143-35**
Minor land division to convert four apartment units to condominiums in the VS/R-1 (Visitor Serving/Single-Family Residence) Zoning District.
Environmental Determination: Categorical Exemption
Property Owner: Doug Dodds

APPLICANT'S PROPOSAL

The applicant is proposing to convert an existing four-unit apartment complex into four condominium units. The apartment building is located at 723 El Salto Drive in the VS/R-1 (Visitor Serving/Single-Family Residence) zoning district. The use is consistent with the General Plan, Local Coastal Plan, Zoning Ordinance, and Subdivision Ordinance.

BACKGROUND

The existing parcel currently contains a 4-unit apartment building, a single-family house, and a 4-car carport structure. On February 4, 2010, the Planning Commission approved an application (#08-041) to subdivide a 5,850 square foot portion of the lot, which will contain the single-family house, with the remaining 29,959 square foot lot containing the four-unit apartment building. As part of that approval, conditions were included that required that the existing carport structure be demolished and a new 4-car carport and parking lot be constructed on the lot containing the 4-unit apartment building, in addition to new landscaping and pathways.

At this point in time, the applicant has not moved forward with the Final Map for the subdivision. But it should be noted that the proposed condo conversion application is dependent upon the completion of the previous application (#08-041) and conditions, including construction of a new 4-car carport, parking area, and landscaping including pedestrian walkways connecting the street and apartment building. A condition to this affect is included in the conditions of approval for the subject application.

DISCUSSION

The existing lot lies just to the west of the El Salto Resort, and extends from El Salto Drive to the north to the ocean bluff to the south. The site is relatively flat with the subject two-story four-unit apartment building on the southern portion of the lot, adjacent to the ocean bluff. The four units will continue to gain access from El Salto Drive, with a new driveway, new parking area and new landscaping conditioned as part of Application #08-041. The parking area will consist of a new 4-car carport, 4 uncovered spaces parked tandemly to those carport spaces, two guest spaces, as well as a new 4' concrete pedestrian walkway that connects the street to the parking area and apartment building.

The two-story apartment building contains four individual units, each unit being approximately 988 square feet in size with two bedrooms. As part of the approvals of Application #08-041, each unit will have two assigned parking spaces, one a carport space, the other a tandem uncovered space. In addition to the eight parking spaces for the unit owners, there are two spaces available for guest parking. This meets the zoning code requirement of 2.5 parking spaces per unit.

The complex will be set up the same way as most condominium projects, where the individual owners will own the air space of each unit, and the buildings and property are commonly owned by the condominium association. As is standard for townhome and condominium projects, a condition of approval has been added that final covenants, conditions and restriction (CC&Rs) documents be prepared by the applicant and reviewed by the Community Development Director, Public Works Director, and City Attorney for approval. A draft set of the Declaration of Covenants, Conditions and Restrictions is attached (Attachment C).

Condo Conversion

The City Subdivision Ordinance has a Condominium and Community Apartment Conversions Section that is fairly restrictive and limits the majority of multiple unit apartment buildings from converting to condominiums. However, the ordinance section only applies to "residential condominium projects" which is defined as "the conversion of an existing structure to a condominium containing **five** or more condominiums for residential purposes." Therefore, with the subject application converting only four units, the condo conversion ordinance does not apply and the conversions of the apartment units to individually owned condominium units are permitted with a minor land division.

RECOMMENDATION

Staff recommends that the Planning Commission **approve** application #10-082 based on the following Conditions and Findings for Approval.

CONDITIONS

1. The project approval consists of a tentative parcel map converting an existing four-unit apartment complex into four condominium units at 723 El Salto Drive.
2. Any significant modifications to the size or exterior appearance of the structure must be approved by the Planning Commission.
3. The subdivider shall comply with all of the provisions of the approved Tentative Map and all pertinent provisions of the Municipal Code.

4. The proposed condo conversion Final Map shall not be approved for recordation until the Final Map and associated conditions of approval for Application (#08-041) are completed, approved, and recorded.
5. A Homeowner's Association CC&R document shall be prepared by the developer and subject to the approval of the Community Development Director, Public Works Director, and City Attorney. The CC&Rs shall be prepared and approved prior to recordation of the Parcel Map and all costs associated with the creation of the documents will be the responsibility of the applicant.
6. The owner/applicant shall comply with the Inclusionary Housing Ordinance.

FINDINGS

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

Community Development Staff and the Planning Commission have reviewed the project and determined that the project is consistent with the development standards of the VS/R-1 (Visitor Serving/Single-Family Residence) Zoning District. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance and General Plan.

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

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

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

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

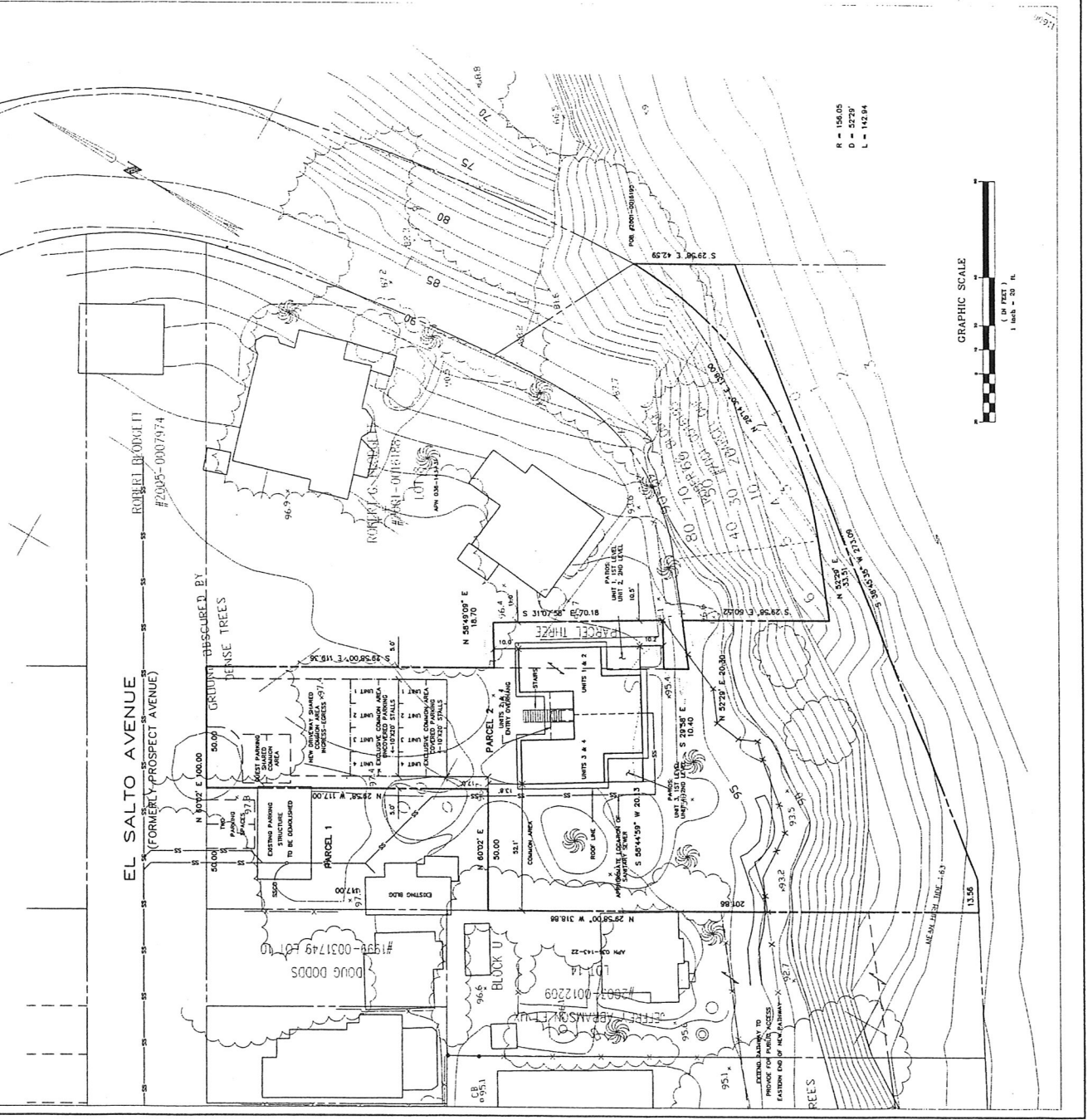
- D. **This project is categorically exempt under Section 15315 of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.**

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

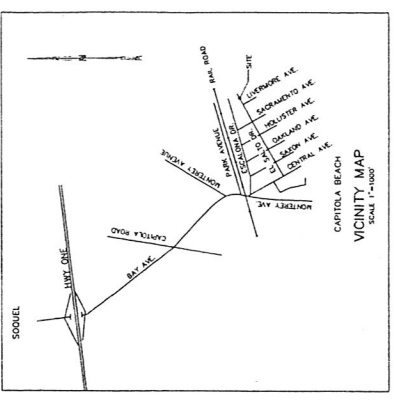
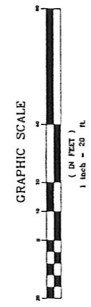
Item #: 4.C. Attachment C 2011 Approved Four Unit Condo.pdf

Report Prepared By: Ryan Bane
Senior Planner

Attachment A – Tentative Parcel Map
Attachment B – Apartment Building Plans
Attachment C – Draft CC&Rs



R = 156.05
 D = 273'
 L = 142.84



BASIS OF BEARINGS.

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CALCULATED BEARING BETWEEN A FOUND POINT ON THE WEST LINE OF LOT 36 BLOCK 1 AS SHOWN ON 86-14-22 (S 46°31'37" E 286.53) VS. S 46°31'37" E 286.67 AS FOUND.

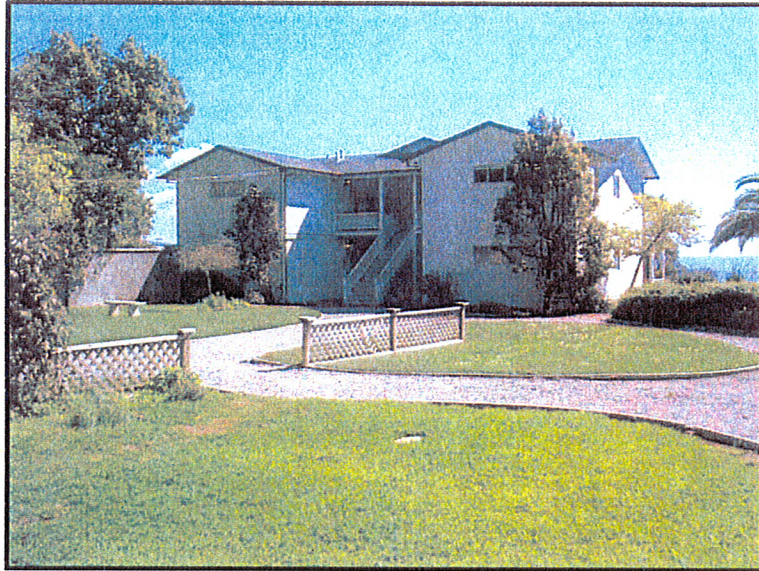
BASIS OF ELEVATION.

BEARINGS IS 1925 MSL 71.210 BARY. BRASS PEGS IN A CONCRETE SUB POST IN LANE 4 THE SOUTHWEST CORNER OF MONTEREY AVENUE AND THE UNION PACIFIC RAILROAD ELEVATION = 61.922 USDS DATUM HOWD 1929 ADJUSTED.

NOTE.

PARCEL 1 AND PARCEL 2 SHOW HEREON ARE FROM AN APPROVED MINOR LAND DIVISION RECORD FOR THE PROJECT AND THE RECORDING OF A CONDOMINIUM PLAN WILL BE COMPLETED PRIOR TO APPROVAL AND RECORDING OF A CONDOMINIUM PLAN. APPROXIMATE LOCATION OF SANITARY SEWER IS BASED ON FOUND SANITARY SEWER CLEANOUT AND SANTA CRUZ COUNTY ENVIRONMENTAL HEALTH RECORDS PERMIT AND SKETCH DATED 11/11/09. THE SANITARY SEWER LINE IS SHOWN ON THE RECORDING OF PARCELS 36-14-22-25, CURRENTLY APR 36-14-35. EASEMENT OVER PARCEL 1 OR NEW SANITARY SEWER CONNECTION MAY BE REQUIRED.

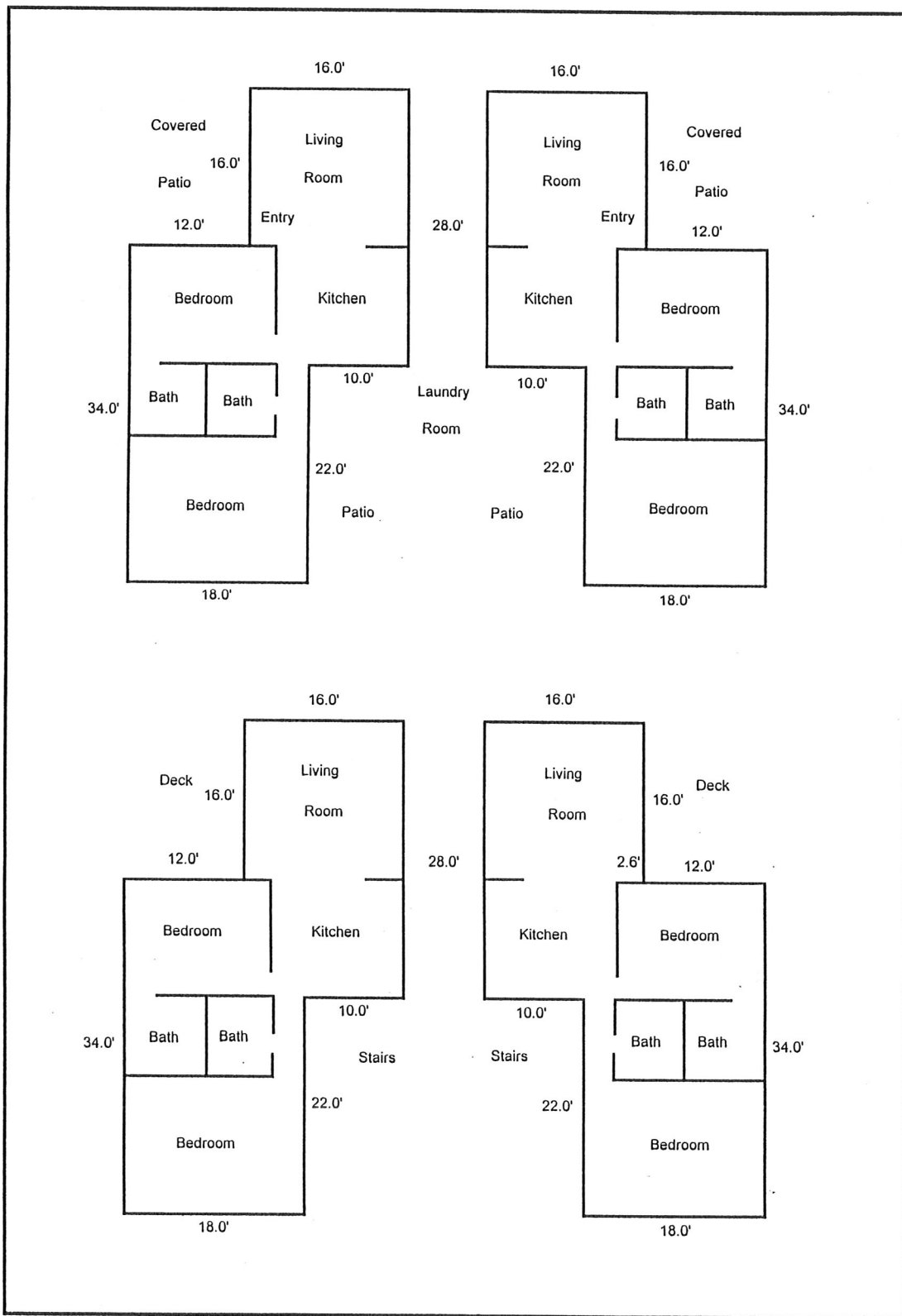
DATE	BY	CHKD	DATE
AUG 23, 2010	DAVID D. BOWMAN	DAVID D. BOWMAN	
DATE	BY	CHKD	DATE
AUG 23, 2010	DAVID D. BOWMAN	DAVID D. BOWMAN	
DATE	BY	CHKD	DATE
AUG 23, 2010	DAVID D. BOWMAN	DAVID D. BOWMAN	



LOCATED AT:
723 EL SALTO DRIVE
LOT 9 CAMP CAPITOLA
CAPITOLA, CA 95010

Item #: 4.C. Attachment C 2011 Approved Four Unit Condo.pdf
Building Sketch (Page - 1)

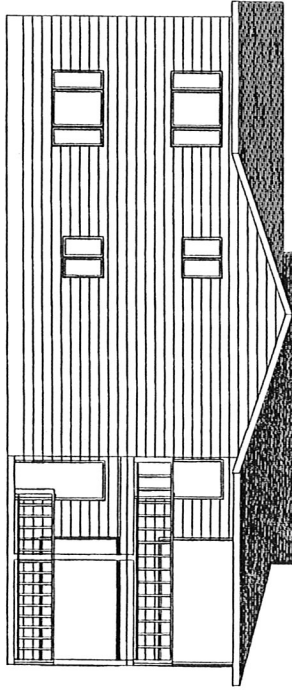
Borrower/Client DOUGLAS DODDS			
Property Address 723 EL SALTO DRIVE			
City CAPITOLA	County SANTA CRUZ	State CA	Zip Code 95010
Lender			



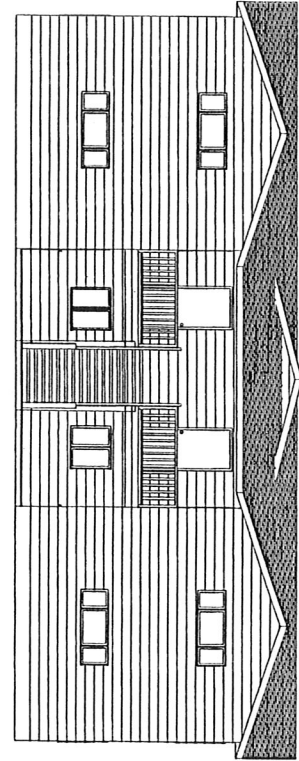
Borrower/Client DOUGLAS DODDS			
Property Address 723 EL SALTO DRIVE			
City CAPITOLA	County SANTA CRUZ	State CA	Zip Code 95010
Lender			

SKETCH CALCULATIONS			
Misc. Area			
Unit 2			
	A1 : 16.0 x 16.0 =		256.0
	A2 : 28.0 x 12.0 =		336.0
	A3 : 18.0 x 22.0 =		396.0
			988.0
Unit 3			
	A4 : 16.0 x 16.0 =		256.0
	A5 : 28.0 x 12.0 =		336.0
	A6 : 18.0 x 22.0 =		396.0
			988.0
Unit 4			
	16.0 x 16 =		256
	28.0 x 12 =		336
			396
Living Area			
Unit 1			
	A7 : 16.0 x 16.0 =		256.0
	A8 : 28.0 x 12.0 =		336.0
	A9 : 18.0 x 22.0 =		396.0
			988.0
Total Gross Living Area		= 3952 Square Feet	
			Total Living Area 988.0

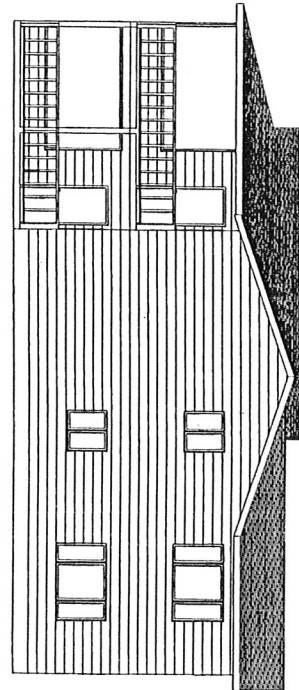
West Elevation



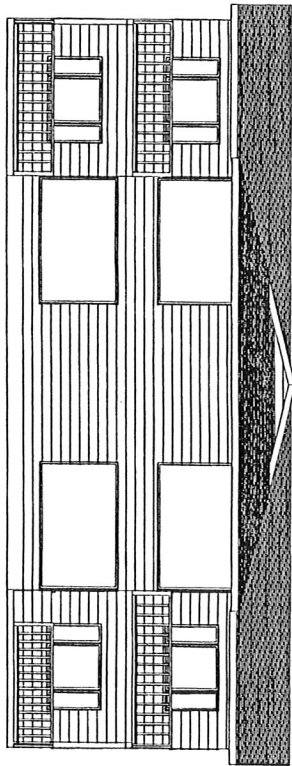
North Elevation



East Elevation

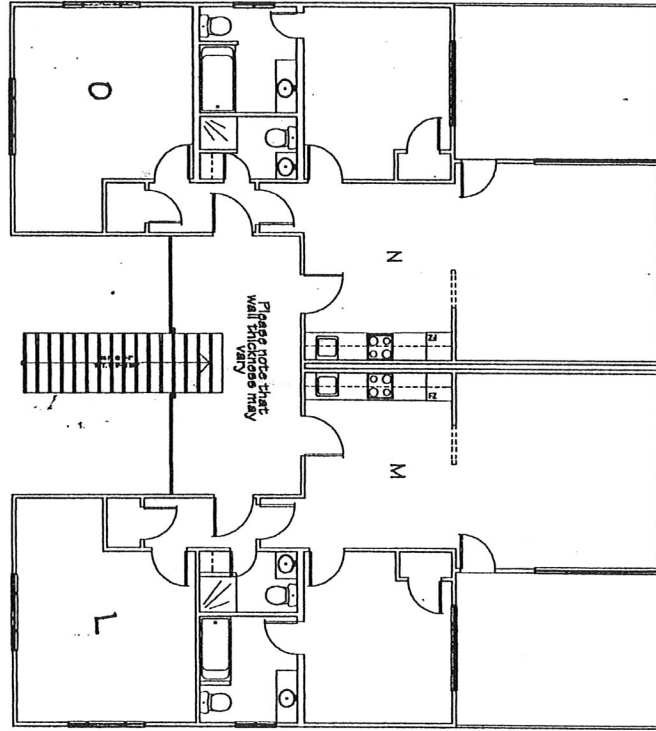


South Elevation

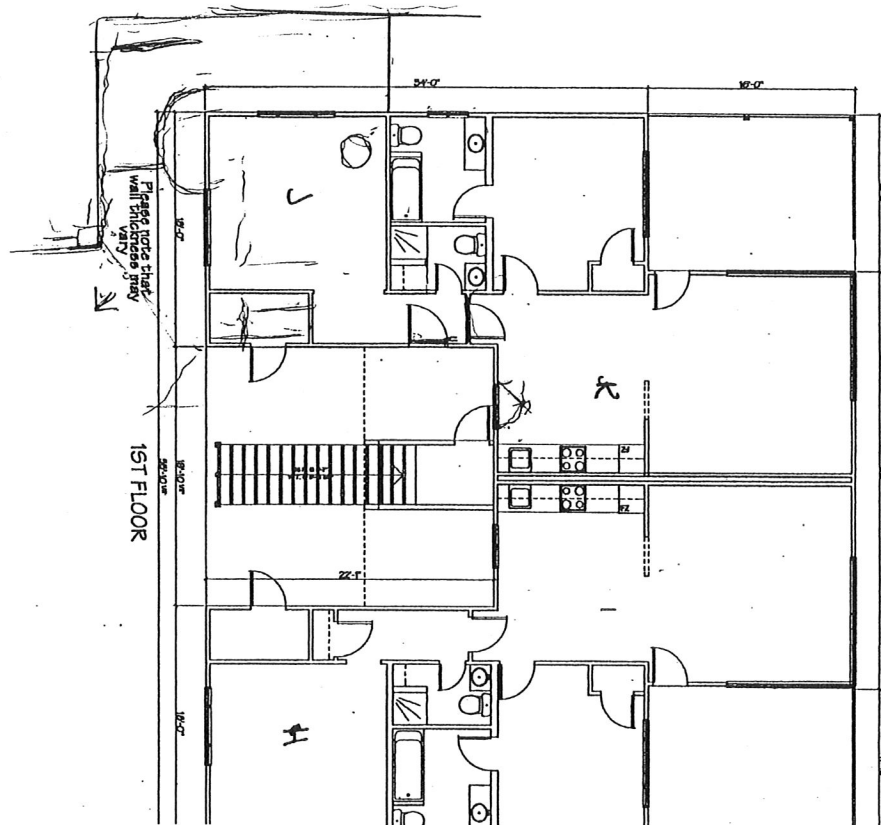


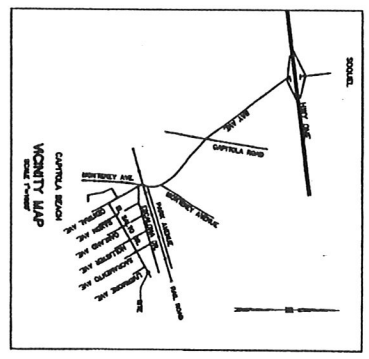
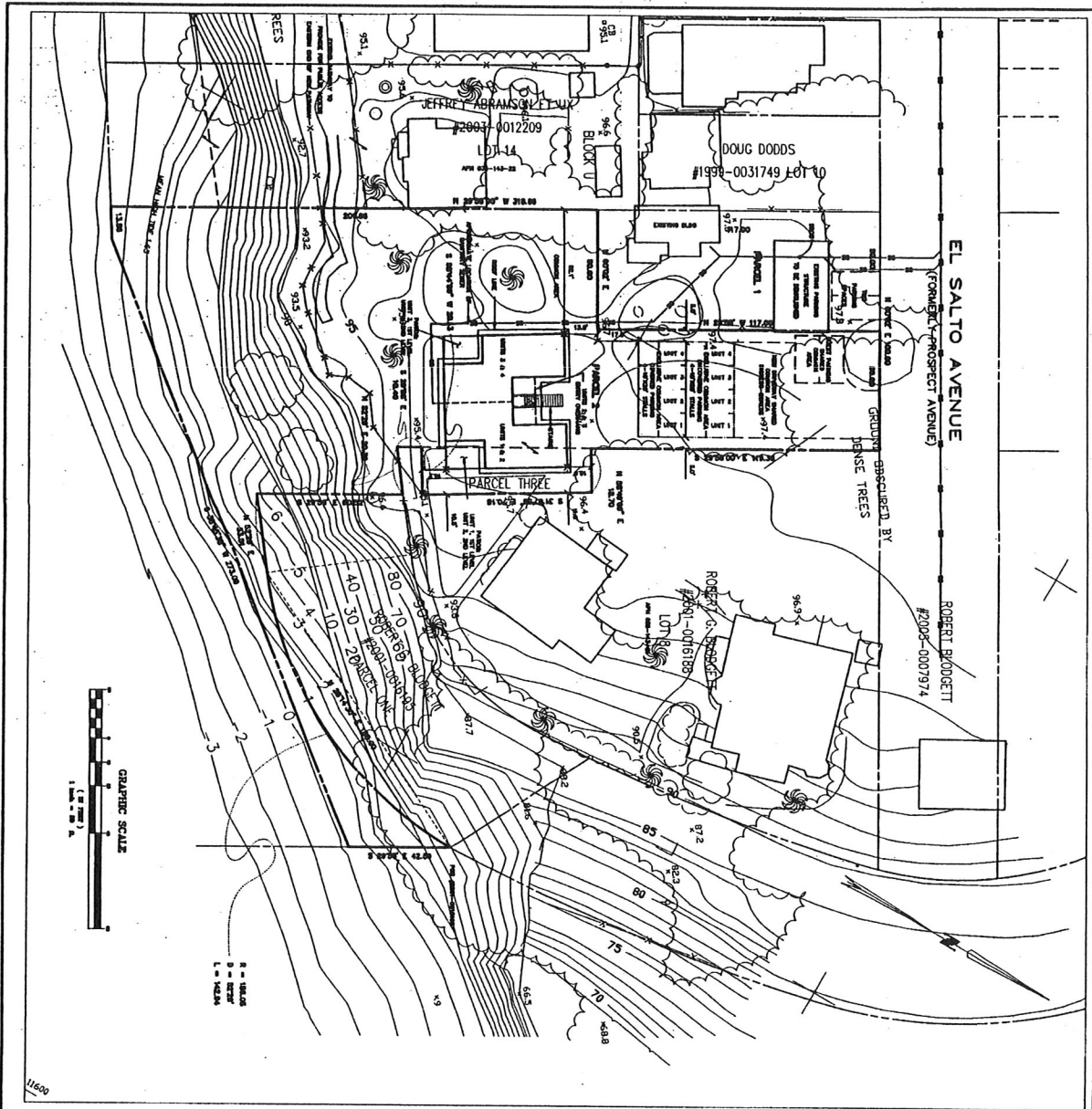
EL SALTO		ELEVATIONS		
Scale	1/8" = 1'-0"	Sheet	1	12 11 10 9 8 7 6 5 4 3 2 1 0 1 2 3 4 5 6 7 8 9 10 11 12
Date		Drawn		
By		Checked		
Appr.		Rev.		
Disc.		Notes		

2ND FLOOR



1ST FLOOR





BASE OF FINISH:
 THE BASE OF FINISH FOR THIS PROJECT IS THE CALCULATED FINISH BETWEEN A FINISH POINT OF 100.00' ON THE CORNER OF LOT 20 BLOCK U AND THE FOUND 1/2" FINISH AT 5' NORTH OF 100.00' AS SHOWN ON SHEET 20 (1/2" FINISH 1/2" FINISH) AS SHOWN ON SHEET 20 AS SHOWN.

BASE OF ELEVATION:
 ELEVATION IS USED ON 7'-51" HIGH A BASE IS IN A CONCRETE ONE FOOT IN LINE AT THE SOUTHWEST CORNER OF PROSPECT AVENUE AND THE UPPER PORTION RAILROAD ELEVATION AS SHOWN ON SHEET 1989 SHEET 1989.

NOTE:
 PARCEL 1 AND PARCEL 2 SHOW AROUND THE FROM AN APPROVED LAND DIVISION. PARCEL 2 WILL BE COMPLETED FROM TO APPROVAL AND RECORDING OF A CONDOMINIUM PLAN. APPROXIMATE LOCATION OF SANITARY SEWER IS BASED ON FIELD SANITARY SEWER DATA OF 1987. CITY OF CAPITOL DISTRICT, 1987. THE RECORDS OF THE CITY OF CAPITOL DISTRICT, 1987. CURRENTLY THE SANITARY SEWER OVER PARCEL 1 OF THE SANITARY SEWER CONNECTION WITH THE FINISH.

BONNAN & WILLIAMS CONSULTING ENGINEERS 705 N. SALTO AVENUE SUITE 100 WASHINGTON, DC 20001 (202) 546-1100 WWW.BONNAN-AND-WILLIAMS.COM		PREPARED BY: BONNAN & WILLIAMS DATE: 10/15/11 SHEET NO. 1 OF 1	
PROJECT NO. 11-001 SHEET NO. 1 OF 1	DATE: 10/15/11 SHEET NO. 1 OF 1	PROJECT NO. 11-001 SHEET NO. 1 OF 1	DATE: 10/15/11 SHEET NO. 1 OF 1

MOTION PASSED 4-0, CHAIRPERSON ORTIZ RECUSED.

B. 723 EL SALTO DRIVE #10-082 APN: 036-143-35

Minor land division to convert four apartment units to condominiums in the VS/R-1 (Visitor Serving/Single-Family Residence) Zoning District.

Environmental Determination: Categorical Exemption

Property Owner: Doug Dodds, filed: 10/5/10

Chairperson Ortiz removed this item from the consent agenda.

Senior Planner Bane presented the staff report.

Chairperson Ortiz questioned the allowable rental period and requirement for inclusionary housing.

Senior Planner Bane responded that the property is not located in the vacation rental zone and therefore the units cannot be rented for a period less than 30 days. The inclusionary in-lieu fees apply to this project.

The public hearing opened. No one spoke in support or opposition to the application. The public hearing was closed.

Chairperson Ortiz suggested an additional condition to ensure that there be no rentals for less than 30 days.

Commissioner Graves supported the motion but stated that the VS/R-1 zoning was very complicated with the various overlay zones and incorrect parcel numbers in the ordinance. He was concerned about this proposal where the condos will be sharing utilities.

A MOTION WAS MADE BY CHAIRPERSON ORTIZ AND SECONDED BY COMMISSIONER ROUTH TO APPROVE PROJECT APPLICATION #10-082 WITH THE FOLLOWING AMENDED CONDITIONS AND FINDINGS:

CONDITIONS

1. The project approval consists of a tentative parcel map converting an existing four-unit apartment complex into four condominium units at 723 El Salto Drive.
2. Any significant modifications to the size or exterior appearance of the structure must be approved by the Planning Commission.
3. The subdivider shall comply with all of the provisions of the approved Tentative Map and all pertinent provisions of the Municipal Code.
4. The proposed condo conversion Final Map shall not be approved for recordation until the Final Map and associated conditions of approval for Application (#08-041) are completed, approved, and recorded.
5. A Homeowner's Association CC&R document shall be prepared by the developer and subject to the approval of the Community Development Director, Public Works Director, and City Attorney. The CC&Rs shall be prepared and approved prior to recordation of the Parcel Map

and all costs associated with the creation of the documents will be the responsibility of the applicant.

6. The owner/applicant shall comply with the Inclusionary Housing Ordinance.
7. The condo units shall not be permitted to be used as vacation rentals (rental of the unit for a period of less than thirty consecutive calendar 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 Staff and the Planning Commission have reviewed the project and determined that the project is consistent with the development standards of the VS/R-1 (Visitor Serving/Single-Family Residence) Zoning District. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance and General Plan.

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

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

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

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

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

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

MOTION PASSED 4-0, COMMISSIONER NEWMAN RECUSED.

6. PUBLIC HEARINGS

- A. 100-200 KENNEDY DRIVE #10-104 APN: 036-031-01**

Master Use Permit for an existing industrial property in the IP (Industrial Park) Zoning District.
Environmental Determination: Categorical Exemption

THIS PAGE INTENTIONALLY LEFT BLANK

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 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 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 of the minor land division will not affect any portions of the lot adjacent to the bluff, nor impact the character of the beach below. Minor improvements are limited to the areas near El Salto Drive.

(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.

- The project involves the minor land division of an existing residential use. 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.

- The project involves the minor land division of an existing residential use. 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.

- The project involves the minor land division of an existing residential use. 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;

- The minor land division does not include any additional units, and therefore does not require new water or sewer services.

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

- The minor land division 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 carport 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 does not involve a condo conversion or mobile homes. The existing residential units on the property will not be changes as part of the minor land division.

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

- The minor land division 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;

- The project is not located within a geologically unstable area. The minor land division does not involve any development near the coastal bluff portion of the parcel.

(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 proposed carport will comply with shoreline structure policies as part of the building plan check process.

(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.



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: DECEMBER 5, 2013

SUBJECT: **904 SIR FRANCIS AVENUE #13-166 APN: 036-222-07**
Request for a one-year extension to a previously approved Coastal Development Permit and Architectural and Site Review for the remodel of an existing single-family residence and construction of a new second story in the R-1 (Single-Family Residence) Zoning District.
Environmental Determination: Categorical Exemption
Property Owner: Justin and Lisa Maffia

APPLICANT'S PROPOSAL

The applicant is requesting a sixth, one-year extension of a previously approved Coastal Permit and Architectural and Site Review Permit for the remodel of an existing one-story single-family residence and a second story addition at 904 Sir Francis Drive in the R-1 (Single Family Residence) zoning district. The proposed use remains consistent with the General Plan, Zoning Ordinance, and Local Coastal Plan.

BACKGROUND

On December 7, 2006, the Planning Commission approved the above-mentioned application #06-061 (Attachment B). The Planning Commission granted a one-year permit extension on October 16, 2008, December 2, 2009, November 18, 2010, December 1, 2011, and December 6, 2012.

DISCUSSION

Pursuant to the Capitola Municipal Code Section 17.63.130, approvals of the Planning Commission are valid for two years. The building permit has not been issued, therefore the applicant has submitted for an extension of the permit. The extension request letter is attached (Attachment A).

Since the Planning Commission originally approved the permit, they have the power to grant, "one or more extensions, each of which shall be for one year." Both Section 17.81.160 and Coastal Zone Ordinance Section 17.46.120 state that a request for an extension may be granted upon a finding that no relevant substantial change of circumstances, regulations or planning policies has occurred and that such extension would not be detrimental to the purpose of the certified local coastal program and zoning ordinance. Since neither the physical characteristics of the lot nor the zoning ordinance has changed since approval of the permit, staff supports the sixth request for a one-year extension.

It should be noted that while the Planning Commission has the power to approve or deny extensions, it has no power to exact conditions unless codes and circumstances have changed. Conditions can be added, but only if agreed upon by the applicant.

RECOMMENDATION

It is recommended that the Planning Commission **approve** the request for a one-year extension, subject to the following finding. If approved, this finding is in addition to the findings made for the original permit:

- A. A substantial change of circumstances has not occurred since Planning Commission approval of the permit on December 7, 2006. An additional one-year extension of the permit to December 5, 2014, 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 December 7, 2006. Therefore, (a sixth) one-year extension (to December 5, 2014) of said permit is appropriate.

ATTACHMENTS

- A. Request for extension letter from Lisa & Justin Maffia, dated November 6, 2013
- B. December 7, 2006 Staff Report, Project Plans and Planning Commission Minutes

**Report Prepared By: Katie Cattan
Senior Planner**

RECEIVED

NOV 06 2013

CITY OF CAPITOLA

November 04, 2013

Dear Capitola Planning Commission,

Several years ago, my husband (Justin) & myself (Lisa) were approved for a design permit to remodel our home (904 Sir Francis Ave. Capitola), of which the permit extension will expire this December, 2013 (Application # 06-061).

After being layed off and several years of Lisa not working, Lisa is now working again and we have been able to start saving for the 2nd story addition of our home. Now that we are a 2 income family again, we hope to see this project kick off in the next 1 – 3 years after saving a bit more for the very large project that this will be for us.

We really love the neighborhood and would like to continue with our dream home, and raise our children here in Capitola. We know this project will also add value to the neighborhood as well. We ask that you would be willing to extend our current permit for another year when we can then re-evaluate if we are ready to start the project next year.

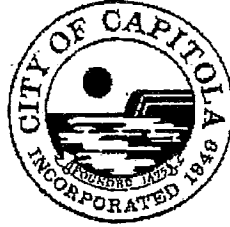
Thank you for your time,

Lisa & Justin Maffia

831-227-3681

Dec 5, 2013
2011 Oak Way
Capitola, CA
90583

THIS PAGE INTENTIONALLY LEFT BLANK



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: NOVEMBER 21, 2006 (AGENDA: DECEMBER 7, 2006)

SUBJECT: **904 SIR FRANCIS DRIVE – PROJECT APPLICATION #06-061**
 COASTAL PERMIT AND ARCHITECTURAL AND SITE REVIEW FOR THE
 REMODEL OF AN EXISTING SINGLE FAMILY RESIDENCE AND
 CONSTRUCTION OF A NEW SECOND-STORY IN THE R-1 (SINGLE-
 FAMILY RESIDENCE) ZONING DISTRICT. (APN 036-222-07)
 CATEGORICALLY EXEMPT. FILED 09/11/06 *1
 PROPERTY OWNER: JUSTIN & LISA MAFFIA
 REPRESENTATIVE: CHUCK BURKET

APPLICANT'S PROPOSAL

The applicant is proposing to remodel an existing one-story single-family residence at 904 Sir Francis Drive in the R-1 (Single Family Residence) zoning district. The use is consistent with the General Plan, Zoning Ordinance and Local Coastal Plan.

STRUCTURAL DATA				
SETBACKS		Required	Existing	Proposed
Front Yard				
	Driveway	20'	20'	20'
	1 st Story	15'	20'	20'
	2 nd Story	20'	N/A	21'
Rear Yard				
	1 st Story	21'	36'	36'
	2 nd Story	21'	N/A	38'
Side Yard				
	1 st Story	5'-6"	6' (l) & 9'-6" (r)	6' (l) & 9'-6" (r)
	2 nd Story	8'-3"	N/A	8'-3" (l) & 9'-6" (r)
HEIGHT		25'		25'

FLOOR AREA RATIO	Lot Size	MAX (48%)	Existing (27%)	Proposed (48%)
	6,120 sq. ft.	2,938 sq. ft.	1,639 sq. ft.	2,937 sq. ft.
	Habitable Space	Garage	Porch/Decks	Total
Proposed First Story	1,526 sq. ft.	365 sq. ft.	N/A	1,891 sq. ft.
Proposed Second Story	1,046 sq. ft.	-	N/A	1,046 sq. ft.
Proposed TOTAL	2,572 sq. ft.	365 sq. ft.	N/A	2,937 sq. ft.
PARKING	Required	Proposed		
	1 covered spaces	1 covered spaces		
	3 uncovered spaces	3 uncovered spaces		
Total	4 spaces	4 spaces		

ARCHITECTURAL AND SITE REVIEW COMMITTEE

On October 11, 2006, the Architectural and Site Review Committee reviewed the application. Staff discussed changes that were required for the proposed Floor Area Ratio (FAR), as the proposed project was over the allowed FAR. Staff requested that the applicant confirm the square footages for both the first and second floors. Regarding parking for the site, staff asked the applicant to provide for the required uncovered parking, and to work with the City's Public Works Director on the design guidelines for the driveway approach.

City architect Frank Phanton, suggested modifications to the roof design and noted that the pitch for the first story should be different from the pitch of the second story, which the applicant agreed to.

City Landscape Architect Jennifer Clark-Colfer stated that the applicant should consider enhancing the proposed landscaping by adding more plantings, and that any new landscaping should be diverse and include drought tolerant plants. It was also requested that the applicant provide a complete landscaping plan for the project, including adding a legend or landscaping key showing plant type (botanical and common name), quantity, size and location. Also, any existing trees or significant amount of landscaping to be removed shall be noted on the plans.

City Public Works Director Steve Jesberg stated that any curb, gutter or sidewalk that is deteriorated or is damaged during construction shall be replaced as per the city's standards.

DISCUSSION

The applicant is proposing to remodel an existing 1,639 square foot one-story single-family residence at 904 Sir Francis Drive in the R-1 (Single Family Residence) zoning district.

The existing parcel size is 6,120 square feet, and the existing structure is 1,274 square feet with a 365 square foot garage. The new improvements will consist of a remodeled first floor with a 252 square foot addition for a total of 1,526 square feet, a second story addition of 1,046 square feet

and a 365 square foot garage for a total square footage of 2,937. The proposed floor area ratio is 48%, which meets the allowed FAR. A side yard set back of 6 feet is proposed for the left side and 9'-6" is proposed for the right side. A 20-foot front yard set back and a 36-foot rear yard set back is also provided.

The exterior of the new home will be "mocha" stucco with "tan" trim, window trim will be "sand" and the concrete tile roof will be in an off-brown tone. The front porch entry columns will be finished with a stone veneer.

The existing landscape shall remain and be enhanced with additional landscaping that will be similar in the type and variety of plantings.

RECOMMENDATION

Staff recommends that the Planning Commission **approve** application #06-061 based on the following Conditions and Findings for Approval.

CONDITIONS

1. The project approval consists of a remodeled first floor with a total of 1,526 square feet, a second story addition of 1,046 square feet and a 365 square foot garage for a total of 2,937 square feet.
2. The Planning Commission must approve any significant modifications to the size or exterior appearance of the structure.
3. A note shall be placed on the final building plans indicating that the utilities shall be underground to the nearest utility pole in accordance with Public Works Department requirements.
4. Curb and gutter that is currently deteriorated or is damaged during construction shall be repaired or replaced, as determined by and to the satisfaction of the Public Works Director.
5. If any trees, large shrubs or significant landscaping are to be removed as a result of the project, the applicant shall provide a supplemental landscape plan to be submitted with the building permit application. The plan shall include the quantity, or specific number of plants for each plant type, their container size, special planting requirements and spacing between plants, subject to the approval of the Director of Planning.
6. Affordable housing in-lieu fees shall be paid as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance. Any appropriate fees shall be paid prior to building permit issuance.
7. Prior to granting of final occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director.

8. Construction hours shall be limited to Monday through Friday 7:30am to 9pm., Saturday 9:00am to 4:00pm, and prohibited on Sundays.

FINDINGS

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

Planning Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project conforms to the development standards of the R-1 (Single Family Residence) Zoning District, as well as the Guidelines for Single Family Residential Projects. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance, General Plan and Local Coastal Plan.

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

Planning Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project conforms to the development standards of the R-1 (Single Family Residence) Zoning District, as well as the Guidelines for Single Family Residential Projects. Conditions of approval have been included to ensure that the project maintains the character and integrity of the neighborhood.

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

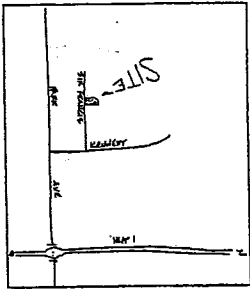
Section 15301(e)(2) of the CEQA Guidelines exempts additions to structures that are less than 10,000 square feet if the project is in an area where all public facilities are available to allow for the development and the project is not located in an environmentally sensitive area. This project involves an addition to a one-story single-family residence that is considered infill development. No adverse environmental impacts were discovered during review of the proposed project

Report Prepared By: John Akeman
Associate Planner

Approved by: _____
Juliana Rebagliati, Community Development Director

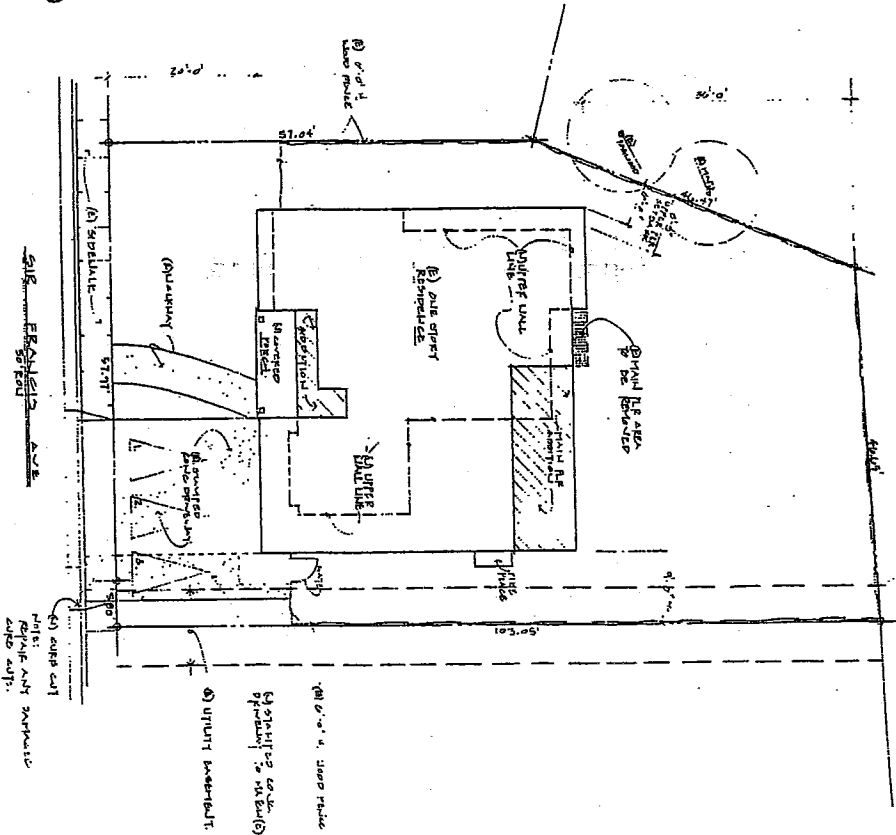
- DRAWING INDEX**
- 01 SITE PLAN/CONTRACT SHEET
 - 02 LANDSCAPE PLAN
 - 03 EXISTING ROOF PLAN
 - 04 PROPOSED ROOF PLAN
 - 05 PROPOSED UTILITY ROOF PLAN
 - 06 UTILITY ELEVATIONS

VICINITY MAP



SITE DATA

LOT AREA: 4780 SF
 RES. DEVELOPMENT UT. COVERAGE: 2082 (43%)
 MAX. DEVELOPMENT UT. COVERAGE: 4118 (86%)
 MAX. UTILITY COV. - 2029 SF (42.5%)
 EXISTING ROOF AREA: 2131 SF
 PROPOSED ROOF AREA: 1520 SF (71%)
 PROPOSED UTILITY ROOF AREA: 305 SF (14.3%)
 TOTAL UTILITY FLOOR: 1825 SF (38.2%)
 TOTAL FLOOR: 3956 SF (82.9%)
 P.M.L.: 5131'

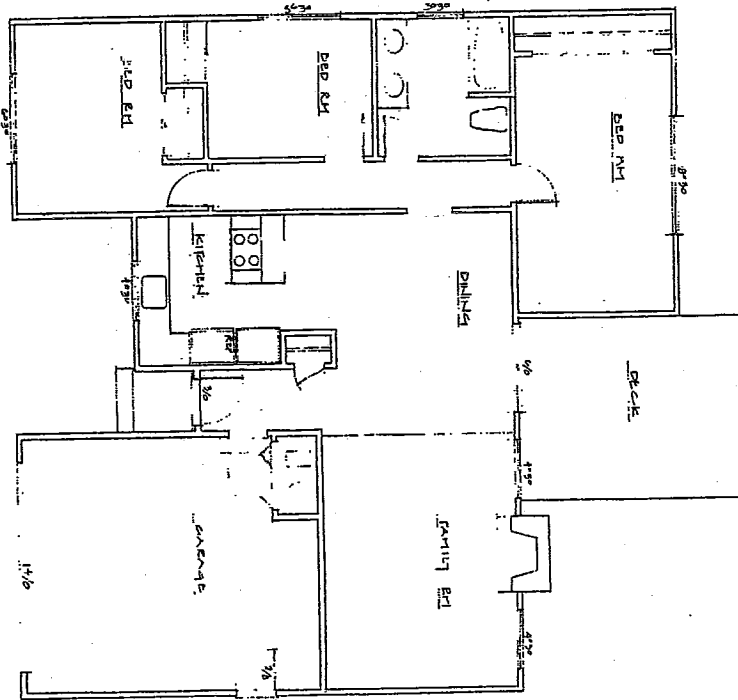


SITE PLAN

APRIL 2006 - 222-07

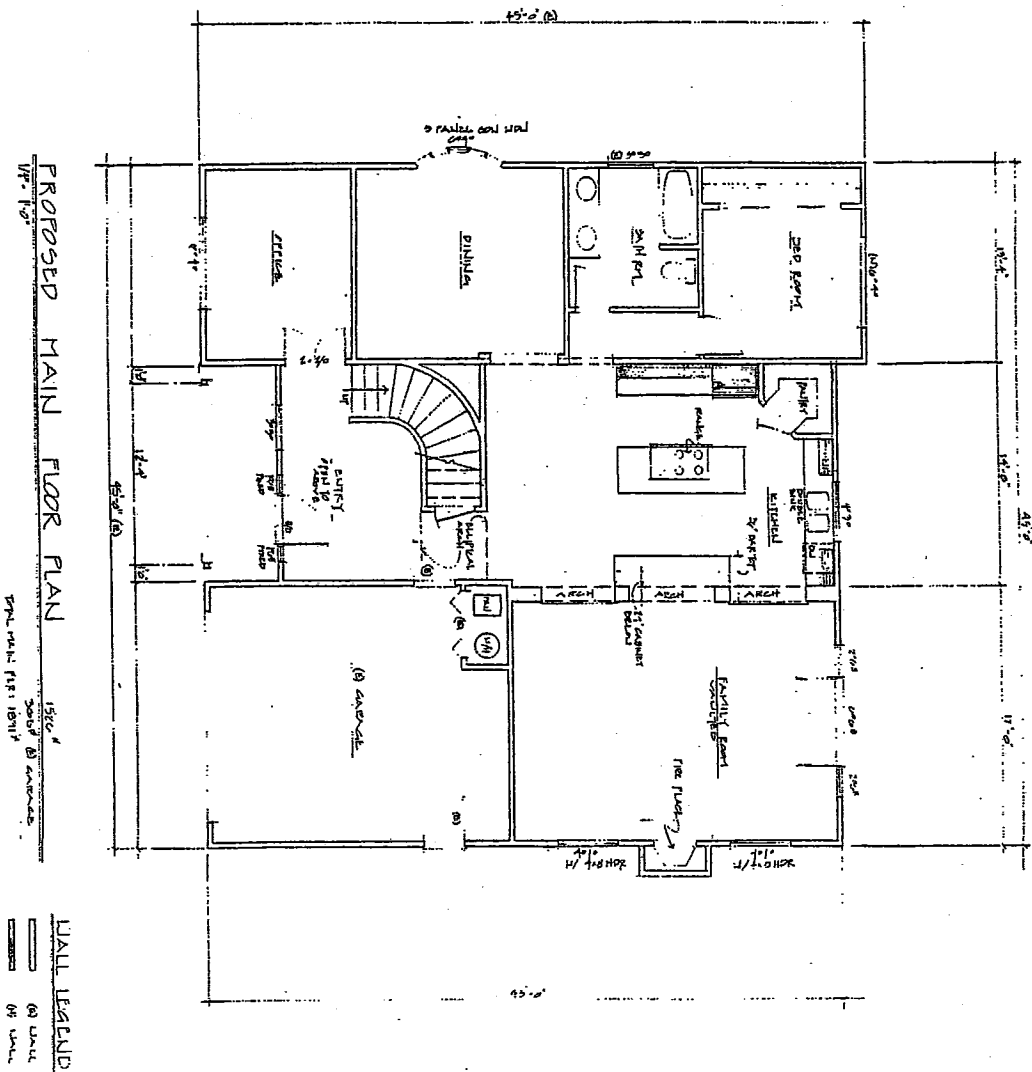
06-061R

06-061R

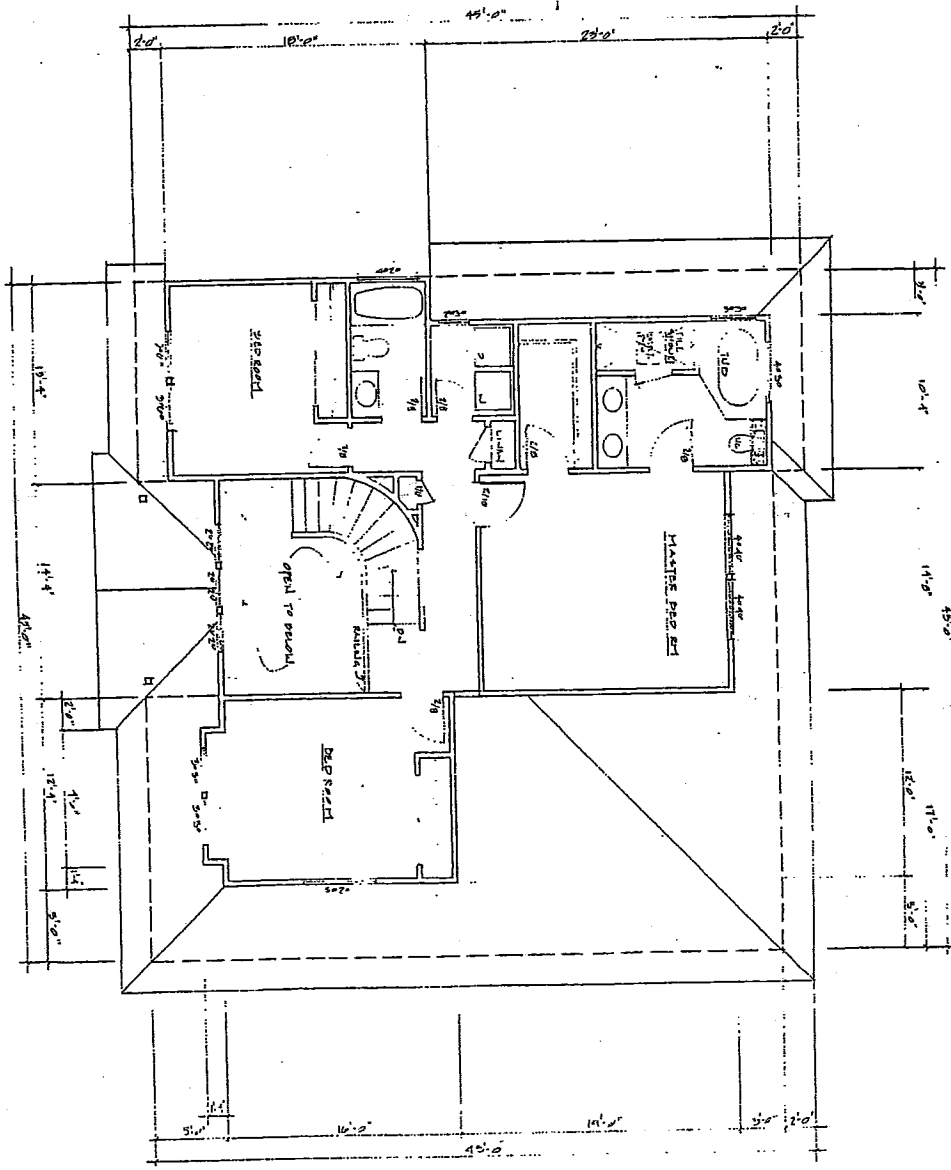


EXISTING MAIN FLOOR PLAN

DATE: 12/14/09
DRAWN BY: [illegible]



PROPOSED UPPER FLOOR PLAN
1/4" = 1'-0"



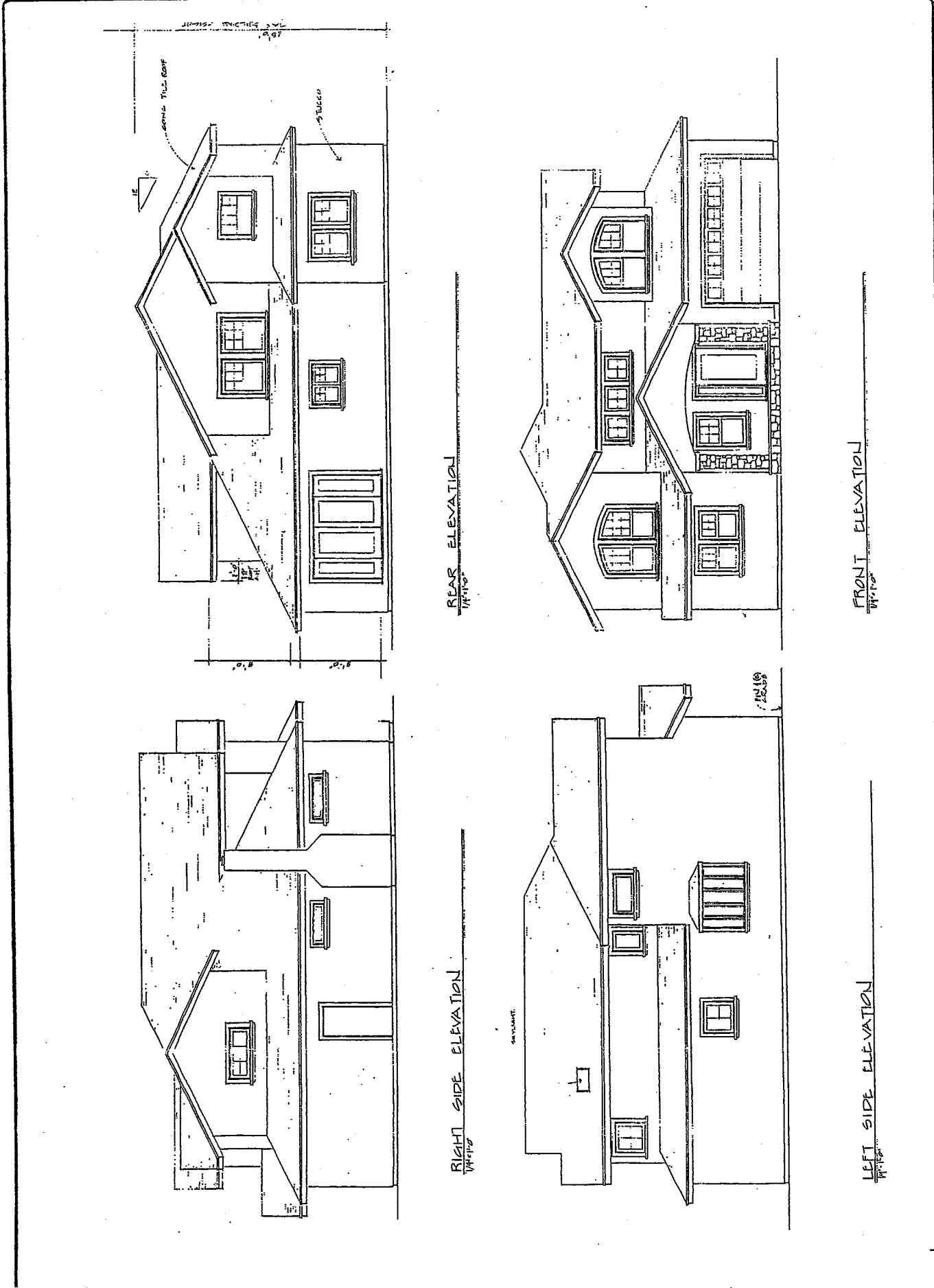
NO.	REVISIONS



THE FINAL DRAFT
 1871 405 0178
 1871 405 0178
 1871 405 0178

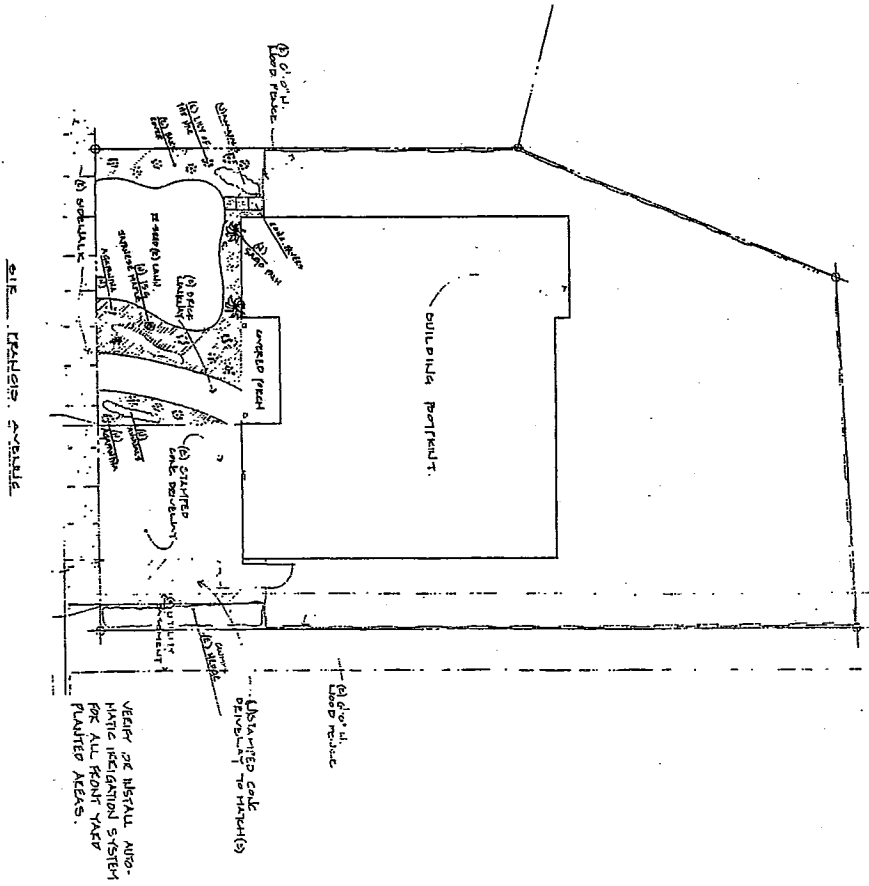
A PROPOSED APPROVED PLAN
 FOR THE
 CONSTRUCTION OF A
 RESIDENTIAL UNIT
 1871 405 0178

DATE	BY





LANDSCAPE PLAN



Capitola Planning Commission Minutes –December 7, 2006

Planning Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project conforms to the development standards of the R-1 (Single Family Residence) Zoning District, as well as the Guidelines for Single Family Residential Projects. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance, General Plan and Local Coastal Plan.

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

Planning Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project conforms to the development standards of the R-1 (Single Family Residence) Zoning District, as well as the Guidelines for Single Family Residential Projects. Conditions of approval have been included to ensure that the project maintains the character and integrity of the neighborhood.

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

Section 15301(e)(2) of the CEQA Guidelines exempts additions to structures that are less than 10,000 square feet if the project is in an area where all public facilities are available to allow for the development and the project is not located in an environmentally sensitive area. This project involves an addition to a one-story single-family residence that is considered infill development. No adverse environmental impacts were discovered during review of the proposed project.

MOTION PASSED

PUBLIC HEARINGS

1. **904 SIR FRANCIS DRIVE – PROJECT APPLICATION #06-061**
COASTAL PERMIT AND ARCHITECTURAL AND SITE REVIEW FOR THE REMODEL OF AN EXISTING SINGLE FAMILY RESIDENCE AND CONSTRUCTION OF A NEW SECOND-STORY IN THE R-1 (SINGLE-FAMILY RESIDENCE) ZONING DISTRICT. (APN 036-222-07) CATEGORICALLY EXEMPT. FILED 09/11/06 *1
PROPERTY OWNER: JUSTIN & LISA MAFFIA
REPRESENTATIVE: CHUCK BURKET

A MOTION WAS MADE BY COMMISSIONER NEWMAN AND SECONDED BY COMMISSIONER HALE TO APPROVE APPLICATION #06-061, SUBJECT TO THE FOLLOWING CONDITIONS AND FINDINGS:

CONDITIONS

Capitola Planning Commission Minutes –December 7, 2006

1. The project approval consists of a remodeled first floor with a total of 1,526 square feet, a second story addition of 1,046 square feet and a 365 square foot garage for a total of 2,937 square feet.
2. The Planning Commission must approve any significant modifications to the size or exterior appearance of the structure.
3. A note shall be placed on the final building plans indicating that the utilities shall be underground to the nearest utility pole in accordance with Public Works Department requirements.
4. Curb and gutter that is currently deteriorated or is damaged during construction shall be repaired or replaced, as determined by and to the satisfaction of the Public Works Director.
5. If any trees, large shrubs or significant landscaping are to be removed as a result of the project, the applicant shall provide a supplemental landscape plan to be submitted with the building permit application. The plan shall include the quantity, or specific number of plants for each plant type, their container size, special planting requirements and spacing between plants, subject to the approval of the Director of Planning.
6. Affordable housing in-lieu fees shall be paid as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance. Any appropriate fees shall be paid prior to building permit issuance.
7. Prior to granting of final occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director.
8. Construction hours shall be limited to Monday through ~~Saturday~~ Friday 8:00 AM to 6:00 PM ~~7:30am to 9pm., Saturday 9:00am to 4:00pm, and prohibited on Sundays.~~

FINDINGS

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

Planning Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project conforms to the development standards of the R-1 (Single Family Residence) Zoning District, as well as the Guidelines for Single Family Residential Projects. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance, General Plan and Local Coastal Plan.

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

Planning Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project conforms to the development standards of the R-1 (Single Family Residence) Zoning District, as well as

Capitola Planning Commission Minutes – December 7, 2006

the Guidelines for Single Family Residential Projects. Conditions of approval have been included to ensure that the project maintains the character and integrity of the neighborhood.

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

Section 15301(e)(2) of the CEQA Guidelines exempts additions to structures that are less than 10,000 square feet if the project is in an area where all public facilities are available to allow for the development and the project is not located in an environmentally sensitive area. This project involves an addition to a one-story single-family residence that is considered infill development. No adverse environmental impacts were discovered during review of the proposed project

MOTION PASSED

2. **422 MCCORMICK AVENUE- PROJECT APPLICATION #06-062**
COASTAL PERMIT AND ARCHITECTURAL AND SITE REVIEW FOR
CONSTRUCTION OF A NEW TWO-STORY SINGLE FAMILY RESIDENCE IN
THE PD (PLANNED DEVELOPMENT) ZONING DISTRICT. (APN 036-094-41)
CATEGORICALLY EXEMPT. FILED 9/20/06 *1
PROPERTY OWNER/APPLICANT: STEPHEN P. GRAVES

**A MOTION WAS MADE BY COMMISSIONER HALE AND SECONDED BY
COMMISSIONER NEWMAN TO CONTINUE APPLICATION #06-062 TO THE 21ST
OF DECEMBER**

MOTION PASSED 3-0

3. **701 GILROY DRIVE- PROJECT APPLICATION #06-068**
COASTAL PERMIT AND ARCHITECTURAL AND SITE REVIEW TO DEMOLISH
A SINGLE-FAMILY HOUSE AND CONSTRUCT A NEW TWO-STORY SINGLE-
FAMILY HOUSE IN THE R-1 (SINGLE-FAMILY RESIDENCE) ZONING
DISTRICT. (APN 035-062-05). FILED 10/24/06 *1
PROPERTY OWNERS: SKIP & WENDY ARSENAULT
APPLICANT: ROBIN BROWNFIELD

**A MOTION WAS MADE BY COMMISSIONER HALE AND SECONDED BY
COMMISSIONER NEWMAN TO APPROVE APPLICATION #06-068, SUBJECT TO
THE FOLLOWING CONDITIONS AND FINDINGS:**

CONDITIONS

1. The project approval consists of a new 1,497 square foot two-story single-family residence, with a 243 square foot carport at 701 Gilroy Drive in the R-1 (Single Family Residence) zoning district.

THIS PAGE INTENTIONALLY LEFT BLANK



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: December 5, 2013

SUBJECT: **2178 41ST AVENUE #12-080 APN 034-221-02**
Modification to Design Permit and a Conditional Use Permit to incorporate a carwash into the recently approved commercial retail building (7-Eleven) in the CC (Community Commercial) Zoning District.
Environmental Determination: Categorical Exemption
Property Owner: Ed Hadad, filed: 3/28/13
Representative: Joe Nguyen, ASI Consulting

PROPOSAL

The applicant is proposing a modification to the recently approved Conditional Use Permit (CUP) to add a carwash to the future 7-Eleven at 2178 41st Avenue in the CC (Community Commercial) zoning district. The original CUP, approved on December 6, 2012, included the demolition of the existing Coast retail building and construction of a new 2,940 square foot retail building while keeping the existing gas station.

BACKGROUND

On December 6, 2012, the Planning Commission approved a Design Permit and CUP to demolish the existing Coast retail building and construct a new commercial retail building (7-Eleven). During Planning Commission review of the application, the Commissioners expressed concern for the impact of business activities, deliveries, lighting, and construction on the adjacent residential neighborhood to the east along Derby Avenue. The Planning Commission imposed additional conditions to mitigate impacts on the adjacent residences, including limiting deliveries to the front of the building during the hours of 8 am – 8 pm and requiring that the concrete block wall be constructed as part of the initial construction phase, prior to framing. The following conditions were required by the Planning Commission:

18. Deliveries shall be limited to the front of the building, and will not be permitted to the back door. Delivery hours shall be limited to 8:00 a.m. – 8:00 p.m., seven days a week.
19. A 6' high concrete block wall (measured from project finished grade) will be constructed along the eastern property line adjacent to residential properties. The wall shall be erected as part of the initial construction in order to shield the residences from construction noise. The wall must be completed prior to commencing framing of the new building.

DISCUSSION

On March 28, 2013, the applicant submitted an amendment to the approved Design Permit and CUP to add a carwash to the site plan. The proposed carwash is 720 square feet. It is located on the north side of the commercial building. The entrance for the carwash is on the rear of the

building, adjacent to neighboring residential uses. Cars would circulate around the back of the building to enter the carwash and exit out the front of the building facing 41st Avenue.

Design

Exterior materials would match the approved new commercial building with stucco finish over cement plaster located over a 3 foot high cultural stone wainscot. Stucco embossed aluminum bifold doors would be located at the entrance and exit of the carwash.

Land Use Compatibility Issues

Carwashes possess use characteristics which are typically considered incompatible in residential zones and conditionally compatible in commercial zones depending on the nature of the existing adjacent land uses. Carwashes are often the subject of complaints from nearby residents due to operational noise from mechanical equipment and automatic dryers, nuisance noise from loud exhaust and car stereos, and fumes/odors from queuing automobiles.

As previously noted, the proposed carwash is located in a commercial zone adjacent to an established residential neighborhood. There are two residential homes within 100 feet of the proposed carwash. The residence at 2224 Derby Avenue is approximately 92 feet from the carwash entrance and 2217 Derby Avenue is less than 80 feet from the carwash entrance. Accordingly, staff has had ongoing concerns with the proposed location and its appropriateness to host a use which is known to create land use compatibility conflicts.

The General Plan identifies noise levels between 50 – 60 Ldn or CNEL,dB to be normally acceptable within a residential single-family neighborhood. The term “normally acceptable” is defined as satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements. Noise levels between 60 -70 Ldn or CNEL,db are conditionally acceptable in a residential single-family neighborhood. “Conditionally acceptable” is defined as development that should be undertake only after a detailed analysis of noise reduction requirements is made and needed noise insulation features included in the design. There are both internal and external noises caused by a carwash. The mechanics of the washing system and blowers for drying create significant sound. Also, the cars queuing to utilize the carwash add noise from the running motor and the car stereo system.

At time of submittal, staff deemed the application incomplete and required that a noise study be completed to evaluate the impact on adjacent residential and commercial neighbors. The applicant subsequently submitted a noise study prepared by Mei Wu Acoustics. The study found that the predicted level of noise experienced by the adjacent residential property from the carwash without mitigation would be 66 dBA. In order to reduce the carwash noise level to 50 dBA or less, the original study recommended increasing the new CMU wall from 6 feet to 10 feet and limiting the hours of operation from 7:00 am to 7:00 pm year round.

Based on feedback from staff, the applicant submitted a revised noise study on November 5, 2013, which proposed new mitigation to decrease noise from the source (Exhibit B). The noise study evaluated the carwash with the added RYKO Bifold carwash doors and Protovest Windshear Dryer Silencers. The updated study concluded that the noise level measured within the adjacent residential property would be 49.5 dBA and not increase from existing noise levels (53.4 dBA) due to the incorporation of the carwash doors and silencer package into the carwash design.

Following review of the updated noise study, staff informed the applicant that a technical review by a third-party noise specialist would be necessary prior to staff accepting the study as complete. The applicant declined to cooperate in a third party technical review, citing time and cost concerns. Staff notified the applicant that a positive recommendation could not be provided without verification of the study's findings and conclusions from a third party technical expert.

Conditional Use Permit Considerations

Section 17.60.030 outlines the considerations in the review of a Conditional Use Permit application. The following underlined considerations are applicable to the current application and must be reviewed by the Planning Commission prior to approval of a CUP.

A. In considering an application for a conditional use, the Planning Commission shall give due regard to the nature and condition of all adjacent uses and structures. In issuing a conditional use permit, the commission may impose requirements and conditions with respect to location, design, siting, maintenance and operation of the use in addition to those expressly provided in this chapter for the particular use, as may be necessary for the protection of the adjacent properties and in the public interest.

B. In approving a use permit, the commission may include such conditions as the commission deems reasonable and necessary under the circumstances to preserve the integrity and character of the district and to secure the general purposes of this title, the general plan, and the local coastal program. Such conditions, without limiting the discretion and authority of the commission, may include time limitations, further architectural and site review, street dedication, and street and drainage improvements.

The City of Capitola General Plan includes a noise element with specific goals and policies. The general plan states that "the overall goal of the Capitola Community is to preserve the quiet that exists in the City". Goal 2 of the Noise Element is "Ensure that land uses and the noise environment are compatible."

Staff continues to have concerns for the impacts of the proposed land use on the adjacent residential neighborhood. With two single-family homes within 100 feet of the carwash and over a dozen properties within 300 feet of the property line, the carwash will likely diminish the resident's quality of life and quiet enjoyment of their personal property. During the initial review of the new convenient store at the location, the Planning Commission expressed concern for the impacts of deliveries to the commercial site on the adjacent residential properties and appropriately conditioned deliveries to the front of the building. Introduction of a carwash would direct cars toward the rear of the property and increase the adverse impacts of the commercial property on the adjacent residences. Without a 3rd party review of the noise study, staff cannot make an informed recommendation to the Planning Commission that the interest of the adjacent properties has been protected. Consequently, staff recommends denial of the of the carwash application to prevent nuisance effects to adjacent residential property owners.

CEQA REVIEW

CEQA Guidelines section 15270(a) exempts projects which are rejected or disapproved.

RECOMMENDATION

Staff recommends the Planning Commission **deny** the proposed modifications within project application #13-041 based on the following findings:

FINDINGS

- A. **The application, subject to the conditions imposed, will not secure the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**

Community Development Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project does not conform with the conditional use permit considerations of the Zoning Ordinance due to the impacts of a carwash of operational noise from mechanical equipment and automatic dryers, nuisance noise from loud exhaust and car stereos, and fumes/odors from queuing automobiles on the existing adjacent residential neighborhood.

- B. **The application will not maintain the character and integrity of the neighborhood.**

Planning Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The carwash is located in a commercial district that is adjacent to an existing residential neighborhood. The proposed carwash has compatibility issues that threaten the character and integrity of the existing residential neighborhood due to operational noise from mechanical equipment and automatic dryers, nuisance noise from loud exhaust and car stereos, and fumes/odors from queuing automobiles.

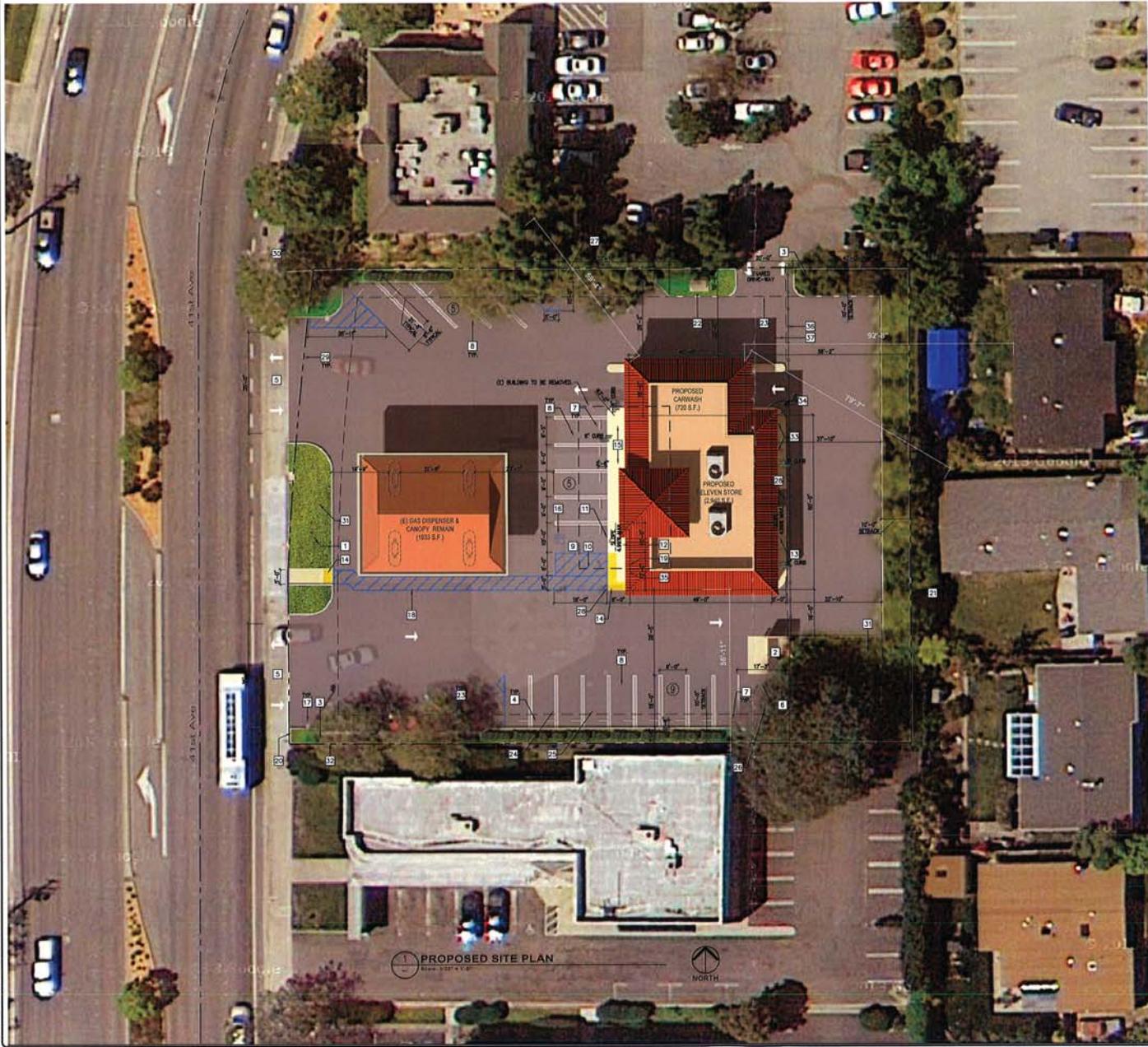
- C. **This project is statutorily exempt under Section 15270(a) of the California Environmental Quality Act**

ATTACHMENTS

- A. Project Plans
- B. Noise Study
- C. Carwash Tech Information

**Report Prepared By: Katie Cattan
Senior Planner**

Location: 212013 PROPOSED SITE PLAN - Capitol, CA - 2178 41st Ave (nearby) (E-2178-3P) Notes & Site Plan - 9/12/2013 8:04:44 PM



- ### Site Key Notes
- 1) (E) SIGN TO REMAIN
 - 2) (E) TRASH ENCLOSURE TO REMAIN
 - 3) (E) LANDSCAPING TO REMAIN
 - 4) (E) BOLLARDS IN THIS AREA TO BE REMOVED
 - 5) (E) DRIVE-WAY APPROACH
 - 6) (N) BOLLARD, TYPICAL (SEE DETAIL 1/A6.2)
 - 7) (N) WHEEL STOP (SEE DETAIL 5/A6.2)
 - 8) (N) PARKING SPACES
 - 9) (N) ADA PARKING SPACE AND STRIPED ACCESS AISLE, MAXIMUM SLOPE IN ANY DIRECTIONS SHALL NOT EXCEED 2%
 - 10) (N) WIDE, PAINTED BLUE HIGHWAY STRIPES (2 COATS), MAXIMUM SLOPE IN ANY DIRECTIONS SHALL NOT EXCEED 2%
 - 11) (N) ACCESSIBLE HANDICAP PARKING SIGN POST MOUNTED (SEE DETAIL 3/A6.2)
 - 12) (N) ACCESSIBLE CURB RAMP PER CODE
 - 13) (N) 12" GROOVED BORDER, TYPICAL
 - 14) (N) 36"x40" RAISED TRUNCATED DOME DETECTABLE WARNING SURFACE WITH 0.8" BASE / 0.45" TOP DIA. DOMES, 0.2" HIGH, 1.6" APART, STAGGERED PATTERN.
 - 15) (N) CONCRETE WALKWAY, MAX. 2% SLOPE VERTICAL AND HORIZONTAL DIRECTIONS
 - 16) (N) 36"x36" H.C. SYMBOL PER CITY CODES
 - 17) (E) SITE LIGHTING TO REMAIN, TYP.
 - 18) (N) PUBLIC PATH OF TRAVEL, 5% MAX. IN TRAVEL DIRECTION, 2% MAX. CROSS-SLOPE (REF. 4/A6.2)
 - 19) (N) STORE ENTRANCE SIGN (SEE DETAIL 6/A6.2)
 - 20) (N) SITE ENTRANCE SIGN (SEE DETAIL 7/A6.2)
 - 21) (N) 10' HIGH CONCRETE BLOCK WALL SHALL BE ERECTED AND COMPLETED PRIOR TO COMMENCING FRAMING OF THE NEW BUILDING
 - 22) (N) PAD MOUNT ELECTRICAL TRANSFORMER LOCATION - PAD MOUNT DETAIL BY POBE
 - 23) (E) SETBACK LINE
 - 24) (E) PROPANE TANK TO BE RELOCATED
 - 25) (E) PROPANE TANK TO BE REMOVED
 - 26) RELOCATED PROPANE TANK
 - 27) (E) AIR & WATER STAND TO REMAIN
 - 28) ZERO CURB
 - 29) (E) PROPERTY LINE
 - 30) (E) FIRE HYDRANTS
 - 31) (N) LANDSCAPING SEE DRAWING "L1.0" FOR PLANTING SCHEDULE
 - 32) (E) FENCING TO REMAIN
 - 33) (N) ELECTRICAL MAIN SWITCH BOARD
 - 34) (N) CON BOX FURNISH BY MANUFACTURER INSTALL BY CONSTRUCTOR
 - 35) (N) PARKING ENTRANCE SIGN (SEE DETAIL 10/A6.2)
 - 36) (E) LATTICE FENCING TO BE REMOVED
 - 37) (E) EASEMENT LINE
- NOTES:
 1. ALL EXTERIOR BUILDING GROUND LEVEL EXITS TO BE ACCESSIBLE WITH A 1/2" MAX. THRESHOLD.
 2. PEDESTRIANS SHALL BE PROTECTED DURING CONSTRUCTION, REMODELING AND DEMOLITION ACTIVITIES AS REQUIRED.

RECEIVED
 SEP 13 2013
 CITY OF CAPITOLA



14351 Euclid St., Ste. 1-8
 Garden Grove, CA 92643
 E 714-686-9930
 F 714-617-6022

Project Location:

2178 41st Ave.
 Capitola, CA 95010

7-Eleven - No. 1026377 - New Building of 2,940 SQ. FT.

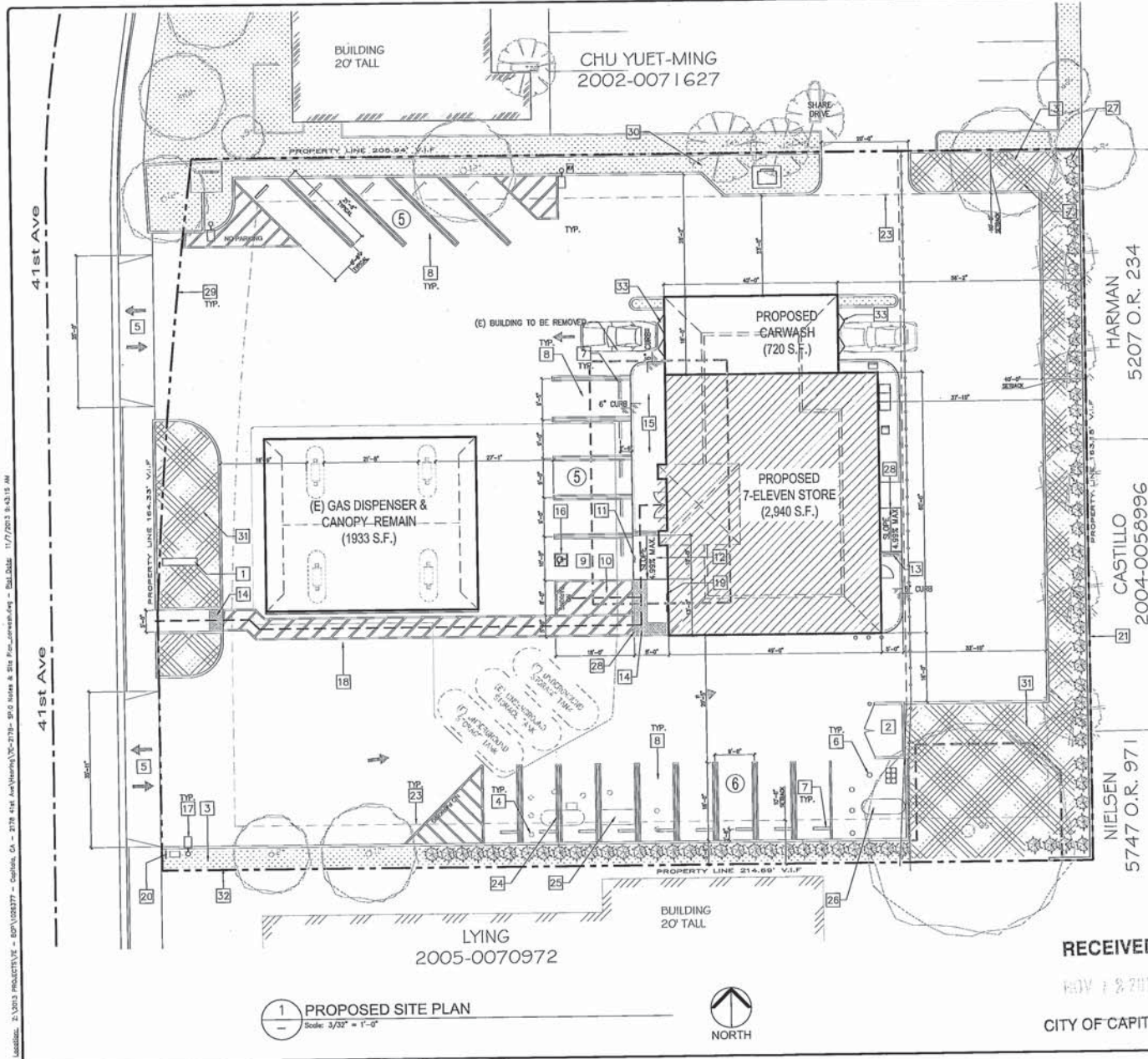
No.	Date	Revision

Scale: A4-Noted
 Drawn / Check by: KPR/KL
 Date: September 13, 2013

Drawing Title:
 Proposed Site Plan

Sheet / Project No. 1026377

SP.1



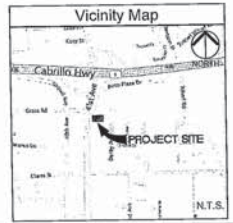
1 PROPOSED SITE PLAN
Scale: 1/32" = 1'-0"



Site Data Information

OWNER'S INFORMATION: 700 S. BERNADO AVE, #103 SUNNYVALE, CA 94087		ASSESSOR'S INFORMATION: PARCEL NUMBER 034-221-02	
ENGINEER CONTACT: JOE NIELSEN @ AS CONSULTING 14351 EUGENE STREET, # 1-S GARDEN GROVE, CA 92843		CONTRACTOR: TEL. 714-480-3930	
LOT AREA	BUILDING HEIGHT: 25'-10" FT.	SQ. FT.	RAIO
BUILDING AREA	OCCUPANCY: V-B	3470	100%
CANOPY AREA	CONSTRUCTION: V-B		
TOTAL AREA: 2,940 S.F.	BUILDING HEIGHT: 18'-0" FT.	2940	8.5%
CANOPY AREA	OCCUPANCY: B		
TOTAL AREA: 720 S.F.	CONSTRUCTION: V-B	720	2.1%
CANOPY AREA	OCCUPANCY: S-3		
EXISTING TO REMAIN	CONSTRUCTION: V-B	1903	5.5%
TOTAL AREA: 1,933 S.F.	TOTAL AREA: 5,593 S.F.	16.2%	
BUILDING COVERAGE (BUILDING, CANOPY & CANOPY) TOTAL	LANDSCAPING AREA		
	REQUIRED: 6,408	15.6%	
	PROVIDED:		
PARKING AREA	TYPE	SIZE	REQUIRED
	HANDICAP	8'-0" x 15'-0"	0
	REGULAR	8'-0" x 15'-0"	0
	REGULAR	9'-0" x 15'-0"	0
	TOTAL:		0

- ### Site Key Notes
- (1) (X) SIGN TO REMAIN
 - (2) TRASH ENCLOSURE TO REMAIN
 - (3) LANDSCAPING TO REMAIN
 - (4) BOLLARDS IN THIS AREA TO BE REMOVED
 - (5) BIKE-WAY APPROACH
 - (6) BOLLARDS, TYPICAL
 - (7) WHEEL STOP
 - (8) PARKING SPACES
 - (9) ADA PARKING SPACE AND STRIPED ACCESS AISLE, MAXIMUM SLOPE IN ANY DIRECTION SHALL NOT EXCEED 2%
 - (10) WET PAVED BLUE HIGHWAY STRIPES (2 COATS), MAXIMUM SLOPE IN ANY DIRECTION SHALL NOT EXCEED 2%
 - (11) (X) ACCESSIBLE HANDICAP PARKING SIGN POST MOUNTED (SEE DETAIL 4/SP-0)
 - (12) ACCESSIBLE CURB RAMP PER CODE
 - (13) (X) 12" GROOVED BORDER, TYPICAL
 - (14) (X) 36"x60" RAZED TRUNCATED DOME DETECTABLE WARNING SURFACE WITH 0.5" BASE / 0.45" TOP DIA. DOMES, 0.2" HRA, 1.5" APART, STAGGERED PATTERN.
 - (15) (X) CONCRETE WALKWAY, MAX. 2% SLOPE VERTICAL & HORIZONTAL DIRECTIONS
 - (16) (X) 36"x36" A.C. STAMBO, PER CITY CODES
 - (17) (X) SITE LIGHTING TO REMAIN, TYP.
 - (18) (X) PUBLIC PATH OF TRAVEL, 5% MAX. IN TRAVEL DIRECTION, 2% MAX. CROSS-SLOPE
 - (19) (X) SITE ENTRANCE SIGN (SEE DETAIL 2/SP-0)
 - (20) (X) SITE ENTRANCE SIGN (SEE DETAIL 3/SP-0)
 - (21) (X) 8" HIGH CONCRETE BLOCK WALL SHALL BE ERRECTED AND COMPLETED PRIOR TO COMMENCING FRAMING OF THE NEW BUILDING.
 - (22) NOT USED
 - (23) (X) STRACK LINE
 - (24) (X) PROPANE TANK TO BE RELOCATED
 - (25) (X) PROPANE TANK TO BE REMOVED
 - (26) RELOCATED PROPANE TANK
 - (27) (X) AIR & WATER STAND TO REMAIN
 - (28) ZERO CURB
 - (29) (X) PROPERTY LINE
 - (30) (X) FIRE HYDRANTS
 - (31) (X) LANDSCAPING SEE DRAWING "L10" FOR PLANTING SCHEDULE
 - (32) (X) FENCING TO REMAIN
 - (33) (X) RELOAD DOORS AT ENTRANCE AND EXIT OF TUNNEL



RECEIVED
NOV 7 2013
CITY OF CAPITOLA



Project Location
2178 41st Ave.
Capitola, CA 95010
7-Eleven Site No. 1030637 - New Building of 2,940 SQ. FT.

No.	Date	Revision
1		

Drawing Title:
Proposed Site Plan & Details
Sheet / Project No. 1030637
SP.0

PROPOSED PLAN KEY NOTES

- 11 PREFABRICATED LINES IN WALL FOR REFRIGERATION ROUTED TO CONDENSERS FOR WALK-IN COOLER & ICE DISPENSER.
- 12 LOCKER SET ON 6" LEGS.
- 13 PURIFIED WATER AND SEWP LINES ROUTED OVERHEAD TO POSMIX, SURFACE AND ICE MAKER - REFER TO PLUMBING PLAN.
- 14 PURIFIED WATER LINE OVERHEAD TO COFFEE STATION - REFER TO PLUMBING PLAN.
- 15 FLOOR SINK FOR INDIRECT DRAINS.
- 16 PROVIDE FULL HT. 90° CORNER GUARDS AT ALL OUTSIDE CORNERS. CORNER GUARDS TO BE 1 1/2" X 1 1/2" X 120". BWM FLUSH AT TOP OF WALL BASE. COLOR: P100 WHITE.
- 17 WALK COOLER DOOR ENTRY.
- 18 BACKROOM SHELVING.
- 19 AIR CURTAIN BY MARS 72 INCHES WITH A VELOCITY OF 1600 FPM.
- 20 TRASH RECIPTACLE.
- 21 MOPSINK - SEE SHEET T10 GENERAL NOTE #17.
- 22 WATER HEATER RATING TO HAVE (A MIN. 40,000 BTU GAS OR 100% MIN. 2" FRAMES AND SINKS/ARROWS-ELECTRIC TELEPHONE BACKBOARD.
- 23 FIRE EXTINGUISHER.
- 24 3-COMPARTMENT SINK - PROVIDE 4" HIGH SPLASHGUARD BETWEEN HAND SINK & 3-COMP. SINK W/ MIN. 2" CLEARANCE ON EACH SIDE OF THE SPLASHGUARD.
- 25 HAND SINK.
- 26 APPLY 7-ELEVEN STRIPE PER 2/A1.1.
- 27 SECURITY CAMERA, TYPICAL.
- 28 ACCESSIBLE CURB RAMP PER CODE.
- 29 12" GROOVE BORDER.
- 30 36" DIA. BASED TRUNCATED DOME DETECTABLE WARNING SURFACE WITH 0.5" BASE / 0.45" TOP DIA. DOMES, 0.2" HIGH, 1.0" APART, STAGGERING PATTERN.
- 31 BIFOLD DOORS AT ENTRANCE AND EXIT OF TUNNEL.

WALL LEGEND

- 3 5/8" METAL STUD, 20 GA. @ 24" O.C. GYP. BD. BOTH SIDES
- 6" METAL STUD, 20 GA. @ 24" O.C. GYP. BD. BOTH SIDES

WALL TYPES

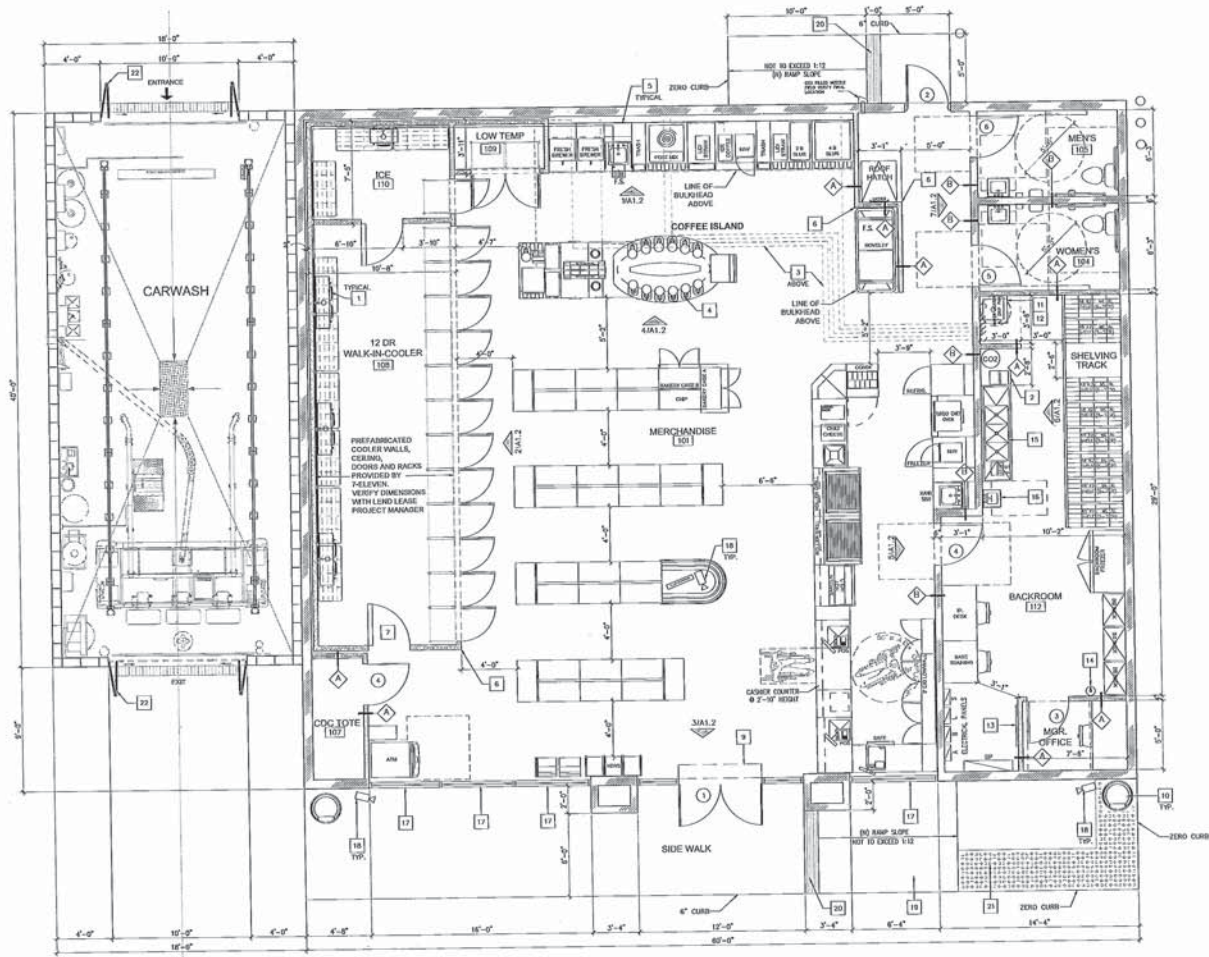
- INTERIOR PARTITIONS, 3 5/8" METAL STUD, 20 GA. AT 24" O.C. W/ 1/2" Gypsum BOARD BOTH SIDES. TOP PLATE @ 12" O.C. (DARY) BRACE @ 3'-0" O.C. TO STRUCTURE ABOVE.
- INTERIOR PARTITIONS, 6" METAL STUD, 20 GA. AT 24" O.C. W/ 1/2" Gypsum BOARD BOTH SIDES. TOP PLATE @ 12" O.C. (DARY) BRACE @ 3'-0" O.C. TO STRUCTURE ABOVE.

SHELVING (Backroom Dry Storage)

- (5) 5-BER 48" X 18" - 100" L.F.
- *IF APPROVED SHELVING
- NOTE: MAXIMUM HEIGHT SHALL BE 5'-0" INCLUDING STOCKING GOODS. SEE ELEVATION.


SIGNAGE (See Detail sheet)

- SN1 MEN / WOMEN TOILET
- SN2 EMPLOYEES ONLY
- SN3 EXIT SIGN



1 PROPOSED FLOOR PLAN
Scale: 1/4" = 1'-0"





ASi
ASi Consulting

14351 Euclid St., Ste. 1-5
Clayton, CA 94543
T: 714-486-3830
F: 714-617-4012

Project Location

**2178 41st Ave.
Capitola, CA 95010**

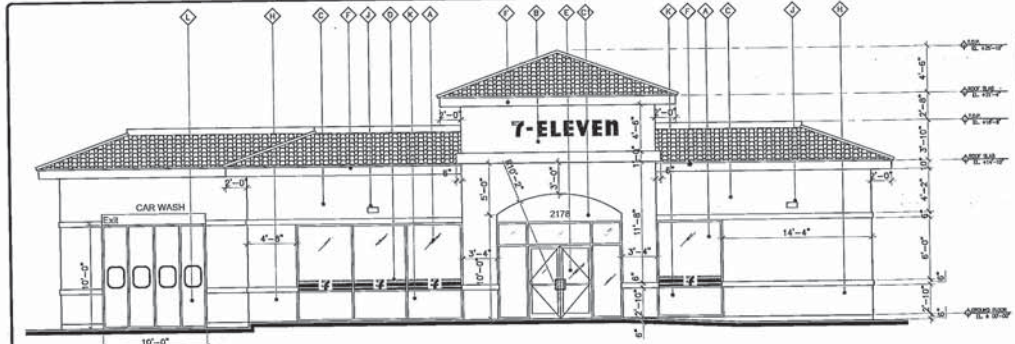
7-Eleven - No. 1026377 - New Building of 2,640 SQ. FT.

No.	Date	Revision

Scale: As-Noted
Drawn / Check by: NPRL
Date: November 7, 2013

Drawing Title:
Proposed Floor Plan

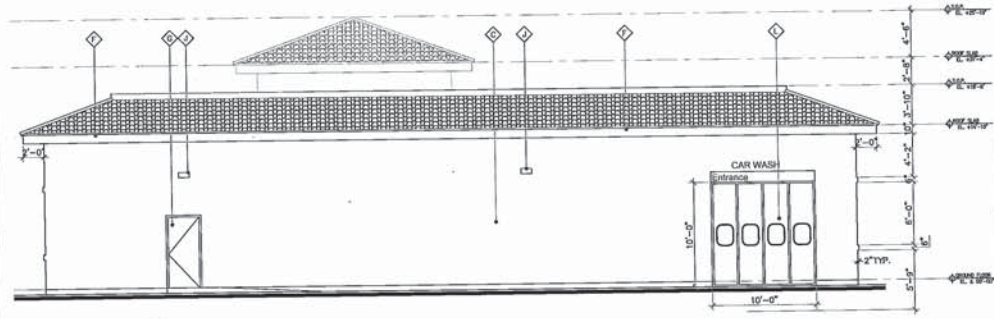
Sheet / Project No. 1026377
A1.0



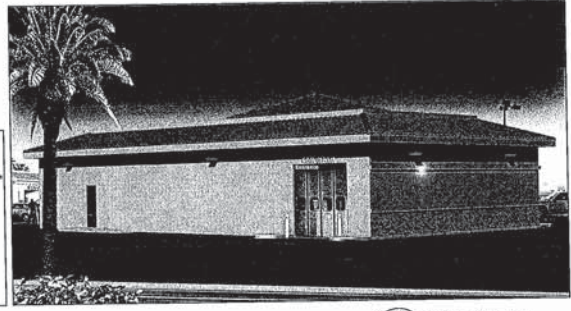
1 PROPOSED FRONT ELEVATION
Scale: 3/16" = 1'-0"



5 FRONT VIEW
Scale:

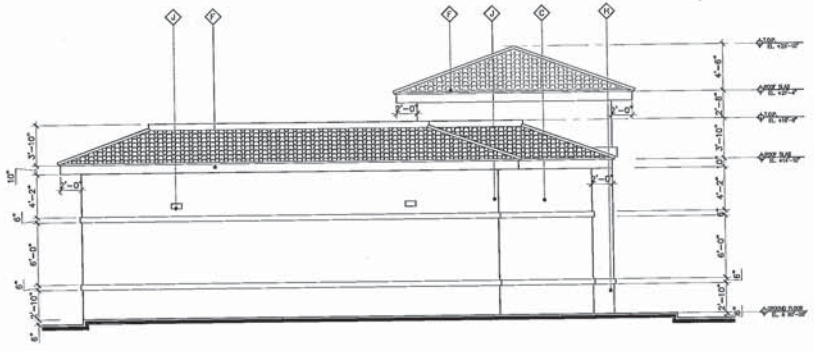


2 PROPOSED REAR ELEVATION
Scale: 3/16" = 1'-0"

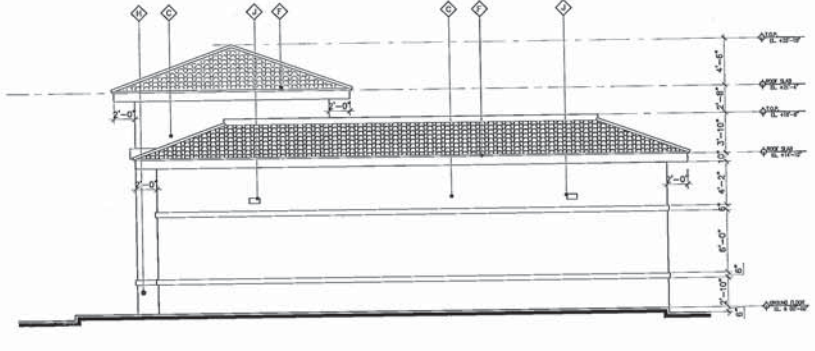


6 BACK VIEW
Scale:

- ELEVATION NOTES
- 1. 3/4" BRICK EXTERIOR FINISH
 - 2. 1" SLICK VENEER FINISH
 - 3. 1" BRICK EXTERIOR FINISH (CONCRETE FORMS)
 - 4. BRICK OVER CONCRETE BLOCK (CONCRETE FORMS)
 - 5. BRICK OVER CONCRETE BLOCK (CONCRETE FORMS)
 - 6. BRICK OVER CONCRETE BLOCK (CONCRETE FORMS)
 - 7. BRICK OVER CONCRETE BLOCK (CONCRETE FORMS)
 - 8. BRICK OVER CONCRETE BLOCK (CONCRETE FORMS)
 - 9. BRICK OVER CONCRETE BLOCK (CONCRETE FORMS)
 - 10. BRICK OVER CONCRETE BLOCK (CONCRETE FORMS)
 - 11. BRICK OVER CONCRETE BLOCK (CONCRETE FORMS)
 - 12. BRICK OVER CONCRETE BLOCK (CONCRETE FORMS)
 - 13. BRICK OVER CONCRETE BLOCK (CONCRETE FORMS)
 - 14. BRICK OVER CONCRETE BLOCK (CONCRETE FORMS)
 - 15. BRICK OVER CONCRETE BLOCK (CONCRETE FORMS)
 - 16. BRICK OVER CONCRETE BLOCK (CONCRETE FORMS)
 - 17. BRICK OVER CONCRETE BLOCK (CONCRETE FORMS)
 - 18. BRICK OVER CONCRETE BLOCK (CONCRETE FORMS)
 - 19. BRICK OVER CONCRETE BLOCK (CONCRETE FORMS)
 - 20. BRICK OVER CONCRETE BLOCK (CONCRETE FORMS)



3 PROPOSED LEFT ELEVATION
Scale: 3/16" = 1'-0"



4 PROPOSED RIGHT ELEVATION
Scale: 3/16" = 1'-0"



ASI
14351 Euclid St., Ste. 1-5
Garden Grove, CA 92643
T 714-460-3333
F 714-617-4012

Project Location
2178 41st Ave.
Capitola, CA 95010
7-Eleven - No. 1026377 - New Building of 2,640 SQ. FT.

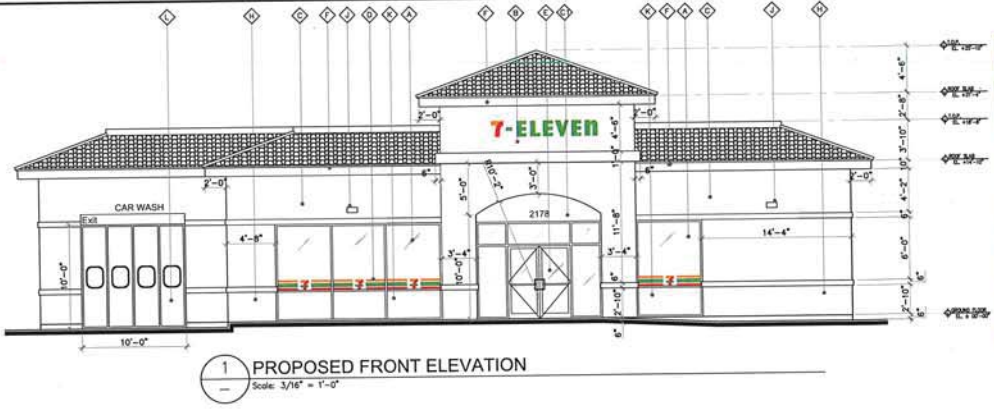
No.	Date	Revision
1		

Scale: As Noted
Drawn / Check by: KP/ML
Date: November 7, 2013

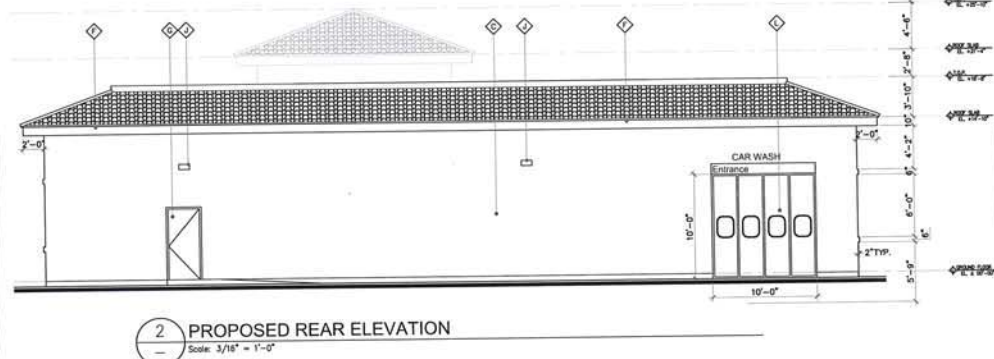
Drawing Title:
Proposed Elevations
Sheet / Project No. 1026377
A1.1

Location: 2178 41st Ave, Capitola, CA 95010
Project No: 1026377
Date: 11/7/2013 9:48:33 AM

Location: 2178 41st Avenue, Capitola, CA 95010
 Date: 11/7/2013 9:48:33 AM
 Project: 1026377 - 7-Eleven - No. 1026377 - New Building of 2,940 SQ. FT.

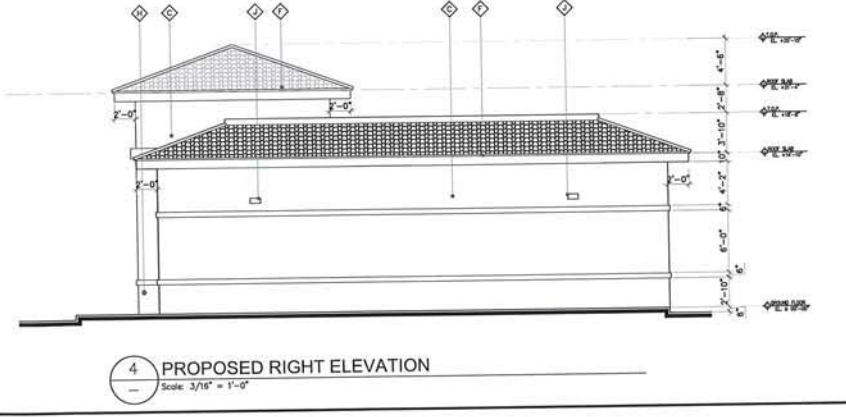
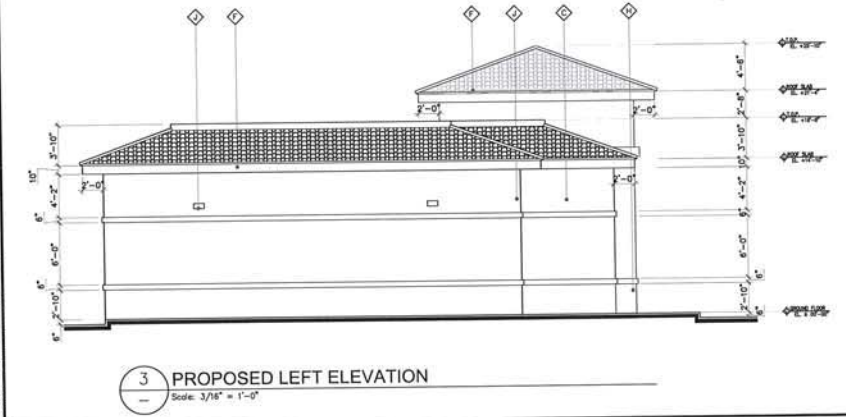


5 FRONT VIEW
 Scale:



6 BACK VIEW
 Scale:

- ELEVATION KEYNOTES**
- 1. 1/2" WOOD ALUMINUM FRAME
 - 2. 7' GLASS VIEW WINDOW
 - 3. 7' WOOD ALUMINUM FRAME (PERVIOUS WINDOW)
 - 4. 6' GLASS VIEW WINDOW (PERVIOUS WINDOW)
 - 5. 6' GLASS VIEW WINDOW (PERVIOUS WINDOW)
 - 6. 6' GLASS VIEW WINDOW (PERVIOUS WINDOW)
 - 7. 6' GLASS VIEW WINDOW (PERVIOUS WINDOW)
 - 8. 6' GLASS VIEW WINDOW (PERVIOUS WINDOW)
 - 9. 6' GLASS VIEW WINDOW (PERVIOUS WINDOW)
 - 10. 6' GLASS VIEW WINDOW (PERVIOUS WINDOW)
 - 11. 6' GLASS VIEW WINDOW (PERVIOUS WINDOW)
 - 12. 6' GLASS VIEW WINDOW (PERVIOUS WINDOW)
 - 13. 6' GLASS VIEW WINDOW (PERVIOUS WINDOW)
 - 14. 6' GLASS VIEW WINDOW (PERVIOUS WINDOW)
 - 15. 6' GLASS VIEW WINDOW (PERVIOUS WINDOW)
 - 16. 6' GLASS VIEW WINDOW (PERVIOUS WINDOW)
 - 17. 6' GLASS VIEW WINDOW (PERVIOUS WINDOW)
 - 18. 6' GLASS VIEW WINDOW (PERVIOUS WINDOW)
 - 19. 6' GLASS VIEW WINDOW (PERVIOUS WINDOW)
 - 20. 6' GLASS VIEW WINDOW (PERVIOUS WINDOW)



ASI Consulting
 14351 Euclid St. Ste 1-5
 Garden Grove, CA 92643
 T 714-480-3830
 F 714-417-4012

2178 41st Ave.
 Capitola, CA 95010
 7-Eleven - No. 1026377 - New Building of 2,940 SQ. FT.

No.	Date	Revision

Scale: As Noted
 Drawn / Check by: KP/ML
 Date: November 7, 2013
 Proposed Elevations
 Sheet / Project No. 1026377
A1.1

THIS PAGE INTENTIONALLY LEFT BLANK



Mei Wu Acoustics

Experts in acoustics, noise and vibration

To: Joe Nguyen, ASi Consulting joe@asiconsultings.com
From: Christopher Bo Buckley, Mei Wu Acoustics christopher@mei-wu.com
Mei Wu, Mei Wu Acoustics meiwu@mei-wu.com
Date: November 1st, 2013
Subject: Capitola California Car Wash Noise Study - Revision 1
MWA Project 13037A

Mei Wu Acoustics is pleased to submit this acoustical report regarding the proposed ProtoVest Windshear 30 HP carwash located at 2178 41st Street, Capitola California.

1 Project Description

An existing gas station is to be replaced by a 7/11 store and a ProtoVest Windshear 30 HP carwash. Figure 1 shows the existing gas station structure with residential housing to the east and commercial zoning in all other directions. ASi Consulting wishes to provide the City of Capitola with an acoustical study showing the noise impact on the surrounding areas, paying special attention to the residential area to the east. In order to meet the requirements of the City, MWA understand that the noise created by the proposed carwash should not increase the current ambient noise levels.

We understand that the City of Capitola has specifically requested a sound study to be performed showing agreement between the proposed carwash and section 9.12.010 "Noise prohibited" of the City of Capitola Municipal Code.



Figure 1: Bird's eye view of proposed carwash site. The red lines roughly indicate the property lines. The blue dot shows the approximate location of the sound measurements.

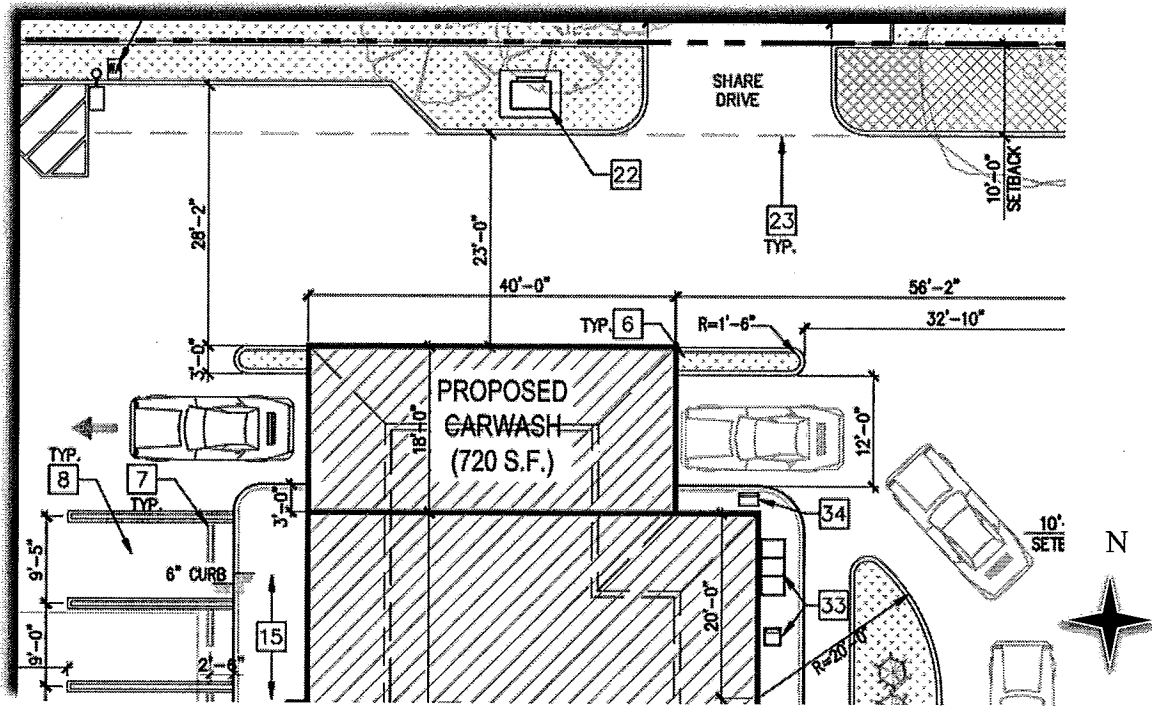


Figure 2: Proposed carwash site plan with reference to nearest property lines (shown in dashed black).

2 Applicable Noise Ordinances

2.1 The City of Capitola Municipal Code





In section 9.12.010 of the City of Capitola Municipal Code, the following is stated:

A. It is unlawful for any person, firm or corporation to make, or permit to be made, any loud, boisterous, irritating, penetrating or unusual noise, or to keep, harbor or maintain, or to permit the keeping, harboring or maintaining of any barking or howling dogs, or to engage in, hold, conduct, operate, or permit the engaging in, holding, conduct or operation of, any business, public meeting or gathering, game, dance, amusement, appliance, contrivance, device, structure, construction, ride, machine, implement, or instrument, the use, engaging in, conduct or operation of which makes a loud, penetrating, irritating, boisterous or unusual noise, within two hundred feet of any residence, hotel, apartment house, cabin, cottage, cottage court, lodging facility or any building or place regularly used for sleeping purposes in the city between the hours of ten p.m. and eight a.m. of any day or days.

2.2 The City of Capitola General Plan

Within the City of Capitola General Plan, dated September 28, 1986, is the following table showing appropriate noise levels for various zonings.

Table 1: City of Capitola General Plan noise guidelines

LAND USE CATEGORY	Community Noise Ldn or CNEL, dB					Interpretation	
	55	60	65	70	75		80
Residential- Single Family Duplex, Mobile Home							<p> NORMALLY ACCEPTABLE Specified land use is satisfactory, based upon the assumption, that any buildings involved are of normal conventional construction, without any special noise insulation requirements.</p> <p> CONDITIONALLY ACCEPTABLE New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice.</p> <p> NORMALLY UNACCEPTABLE New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.</p> <p> CLEARLY UNACCEPTABLE New construction or development should generally not be undertaken.</p>
Residential- Multi-Family							
Transient Lodging Motel, Hotel							
School, Library, Church, Hospital, Nursing Home							
Auditorium, Concert Hall							
Sports Arena, Outdoor Spectator Sports							
Playground, Neighborhood Park							
Golf Course, Stable, Water Recreation, Cemetery							
Office Building, Business, Commercial and Professional							
Industrial, Manufacturing, Utilities, Agriculture							

2.3 Interpretation of Existing Ordinances as They Apply to This Project

The City of Capitola Municipal Code establishes nighttime specific (10pm-8am) noise restrictions. These restrictions are provided solely in subjective (unmeasurable) terms stating noises that can be considered "disturbing", "loud", or "boisterous" are deemed "unlawful". In order to set a reasonable goal in the interests of the neighboring residents, MWA has established an appropriate nighttime level criterion. MWA has established that the noise created by the car wash should not increase the local ambient noise level of 53.4 dBA, which has been measured and reported in this report.

The City of Capitola General Plan provides quantifiable (measurable) criteria for both residential and commercial property lines. The criteria are provided in terms of a Day Night Level (DNL/LDN). LDN is the average noise level over a 24-hour period. The noise between the nighttime hours of 10 pm and 7 am is weighted more (i.e., artificially increased by 10dB) than noise generated in the daytime period from 7 am to 10 pm to account for the greater human sensitivity to nighttime noise.

The residential property line to the east of the proposed car wash location is considered a Residential Single Family, Duplex, Mobile Home housing area and thus requires a LDN of below 60 dBA according to Table 1.

3 Existing Noise Conditions

A major roadway (41st Ave.) lies to the east of the property and the Cabrillo Highway lies approximately 780 feet to the north. An existing 6-foot CMU wall spans the residential property line to the east.

Ambient noise measurements were taken in the afternoon on Friday June 7th, 2013 at the project location in Capitola California around 3pm. Access to the residential property line was not possible due to an existing fence. Therefore, the measurements were performed near the residential property line east of the proposed carwash location as shown in Figure 1. The measurements were performed approximately 180 feet from 41st Avenue and then calculated at the residential property line assuming traffic from 41st Avenue to be the dominant noise source. Time averaged (L_{eq}) measurements were taken over the period of 20 minutes and are provided in Table 2 below.

Table 2: Measured and calculated levels of the existing noise conditions at the project location. Residential property calculated level accounts for CMU wall and receiver position is assumed to be five feet into the residential property from the CMU wall.

Location	Noise Level (dBA)
Measurement location shown in Figure 1, approximately 180 feet from 41 st Ave.	58.8
Calculated level at the residential property.	53.4

The calculated level at the “property line”, as specified in the City Municipal Code, has been calculated five feet further into the residential property from the actual property line due to the CMU wall’s placement on the property line. Due to acoustic near-field effects, the level five feet into the residential property from the CMU wall will be more representative of the noise level perceived by the residents rather than a level calculated very close to the wall.

Measurements were performed with a Norsonic 118 Type I sound level meter. The meter was calibrated prior to and after the measurements using a Norsonic hand-held calibrator type 1251 (SN 27473) at 113.8 dB(A). All equipment was within one year of equipment specified laboratory calibration.

The potential impact to both the residential property and the commercial property has been evaluated in the sections below.

4 Noise Impact of Proposed Construction Without Noise Mitigation

Noise levels for the proposed ProtoVest Windshear dryer have been provided by the manufacturer in dBA levels at various distances and are shown in Table 3 below. MWA assumes these values to be accurate for the currently proposed carwash construction in Capitola California.

Table 3: Noise levels for the ProtoVest Windshear dryer provided by the manufacturer in dBA levels at various distances.

Distance from Dryer	Without Silencer (dBA)
10 ft	91
20 ft	84.9
30 ft	81.4
40 ft	78.9
50 ft	77
56 ft 2 in ¹	76

Figure 2 shows the nearest residential property line lying 56 feet 2 inches to the east. Table 3 shows the level at the eastern residential property plane, without any form of noise mitigation, will be 76 dBA.

Depending on the carwash hours of operation, the LDN will differ. The levels at the residential property plane have been calculated for two different possible hours of operation. The residential property plane LDNs are shown in Table 4.

Table 4: Calculated LDN levels for eastern residential property plane without the ProtoVest silencer.

Hours of Operation	LDN (dBA)
24-hours per day	82
Continuous operation between the hours of 6am-10pm	76

It can now be seen, that without appropriate noise mitigation, the car wash noise will exceed ambient levels, and thus have a negative impact on the residential area. Specifically, the single event dBA level would be 76 dBA - 53.4 dBA = 22.6 dBA above the existing ambient level. Additionally, the predicted LDN of 76 for 6am-10pm operation lies 16 dBA above the recommended LDN given by the General Plan. Therefore, in the following sections, appropriate noise mitigation will be discussed.

¹ Approximate Distance to Residential Property Line from Entrance of Car Wash. Level interpolated from manufacturer data given at distances 10ft, 20ft, 30ft, 40ft, and 50ft.

5 Recommended Noise Mitigation

It has been decided to keep the residential property plane CMU wall at its existing height of six feet. As an alternative noise mitigation technique, the client has specifically requested to use RYKO Bifold carwash doors and ProtoVest Dryer Silencers as opposed to increasing the CMU barrier height. The following sections will analyze the acoustical impact of each of these mitigation methods.

5.1 ProtoVest Windshear Dryer Silencer

Proto-Vest specifies three components to comprise the "Silencer Package". MWA assumes all three of these will be used.

- Blower Inlet:** reduces the noise generated by rapidly moving air being drawn into the blower assembly.
- Blower-motor Cover:** houses the blower and motor completely to absorb noise emitted from the motor and impeller while providing the assembly additional protection.
- Riser Can:** absorbs the noise created by the blower, impeller and the movement of the air as it leaves the blower by advancing through the dryer's plenum.

Assuming all three components are used, the manufacturer has provided the following noise levels at various distances from the dryer unit. These can be seen in Table 5.

Table 5: Noise levels for the ProtoVest Windshear dryer provided by the manufacturer in dBA levels at various distances.

Distance from Dryer	With Silencer (dBA)
10 ft	76.9
20 ft	70.9
30 ft	67.4
40 ft	64.9
50 ft	63
56 ft 2 in ²	61.9

These levels show obvious improvement compared to the case without a silencer.

² Approximate Distance to Residential Property Line from Entrance of Car Wash. Level interpolated from manufacturer data given at distances 10ft, 20ft, 30ft, 40ft, and 50ft.

5.2 RYKO Bifold Doors

The RYKO Bifold doors have not been acoustically tested for transmission loss, therefore MWA has made an estimation based on its construction. Our estimation assumes the following:

1. The car wash entrance opening has dimensions 10 ft x 10 ft.
2. When closed, 3% or less of the total car wash entrance surface area may contain open area, i.e., gaps/cracks/seals etc. may constitute up to 3% of the total car wash entrance opening area. This accounts for the fact that the door will not be airtight.
3. Each of the 4 windows will be made of 1/4" thick tempered glass that are 20" x 24" with a 5" radius in the corners. Single pane. The window is positioned with an extruded rubber seal surrounding the circumference.
4. The windows within the doors constitute 13% of the total car wash entrance opening area. This was estimated based on the photo of the door and assuming the door dimensions are 10 ft x 10 ft.
5. The remaining car wash entrance opening area will be made of .030" thick stucco embossed aluminum panel laminated to both sides of 1-3/16" thick rigid polystyrene foam.
6. The doors will be closed before the start of the dryer fans and only open after the fans have been shut off.

The effects of implementing the RYKO Bifold doors, along with the various combinations of using the BiFold doors and the ProtoVest Windshear Silencer package, are all listed in Table 6 below.

Table 6: Predicted dBA levels for the residential property including all combinations of the use of RYKO Bifold doors and the Protovest Windshear silencers. Residential ambient level already stated to be 53.4 dBA.

RYKO BiFold Doors	Protovest Windshear Silencer	Predicted dBA level Residential Property	Level above(+)/below(-) current ambient level (dBA)	Predicted LDN for normal operating hours between 6am - 10pm.
NO	NO	76	+22.6	76
NO	YES	62	+8.6	62.1
YES	NO	63.5	+10.1	63.7
YES	YES	49.5	-3.9	49.7

According to our established nighttime criterion for the residential property, the noise generated by the proposed car wash at the residential property plane should remain below 53.4 dBA in order to avoid a negative noise impact on the local residents. The currently predicted level, without any noise mitigation is 76 dBA. In order to reduce this to below 53.4 dBA, both the RYKO BiFold doors should be used in conjunction with the Protovest Windshear Silencer system.

According to Table 1, the residential property plane should stay below LDN 60. Assuming the client implements both the RYKO Bifold doors, and the ProtoVest Windshear Silencers, the

predicted LDN would be 49.7, as can be seen in Table 6. Therefore, the General Plan criterion of LDN 60 will also be met.

6 Conclusion

The noise impact from the proposed ProtoVest Windshear car wash to be located at 2178 41st Street, Capitola California has been evaluated under the requirements given by the City of Capitola Municipal Code and General Plan.

If the client implements, as planned, both RYKO Bifold car wash doors, and the ProtoVest Windshear Silencer package, as detailed in Section 5 – “Recommended Noise Mitigation” of this report, our calculations show that all applicable noise ordinances will be met.

Municipal Code Requirements:

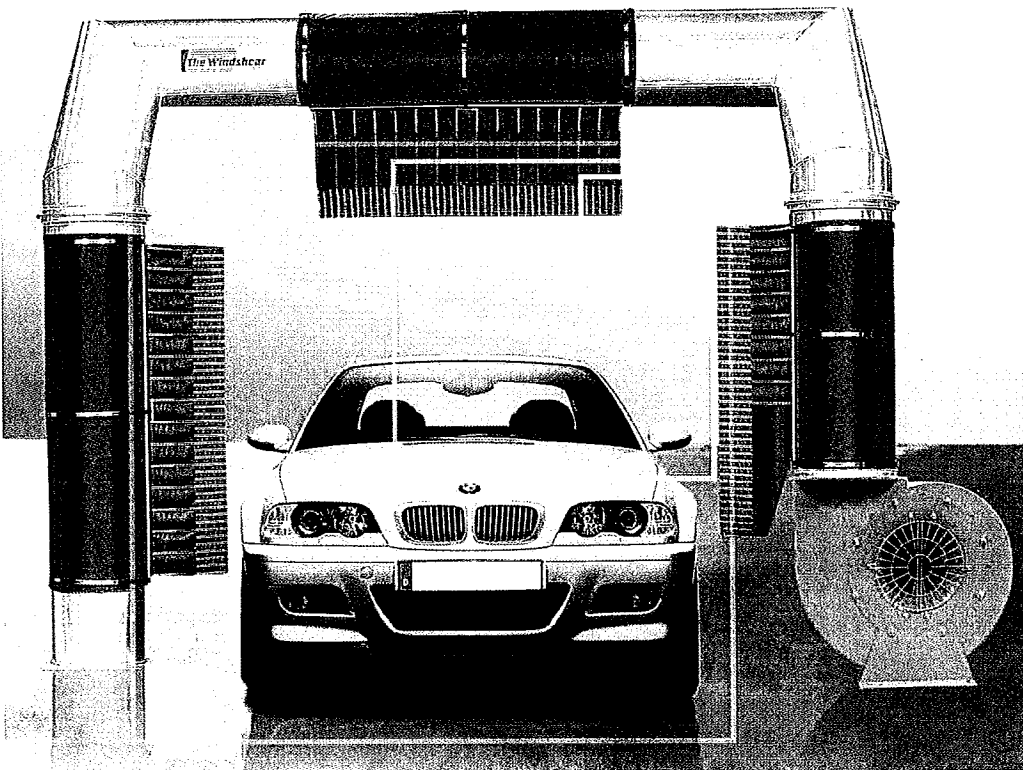
For single noise events, such as a single cycle of the car wash, the predicted noise level shows to be below the current measured ambient noise levels. With both RYKO Bifold doors and the ProtoVest Windshear Silencer package in place, our calculations predict the dBA level due to a single noise event, i.e, a normally operating single cycle of the carwash, to yield 49.5 dBA at the residential property line. The current ambient noise level has been measured and reported to be 53.4 dBA. The predicted noise from the car wash lies 3.9 dBA above the current ambient level, thus, the requirements set by the Municipal Code are satisfied.

General Plan Requirements:

Additionally, under these circumstances, our calculations predict the LDN produced by the car wash to yield 49.7 dBA at the residential property line. This meets the required LDN 60 required by the Capitola General Plan.

* * *

Please feel free to contact us if you have any questions pertaining to the information contained within this report.



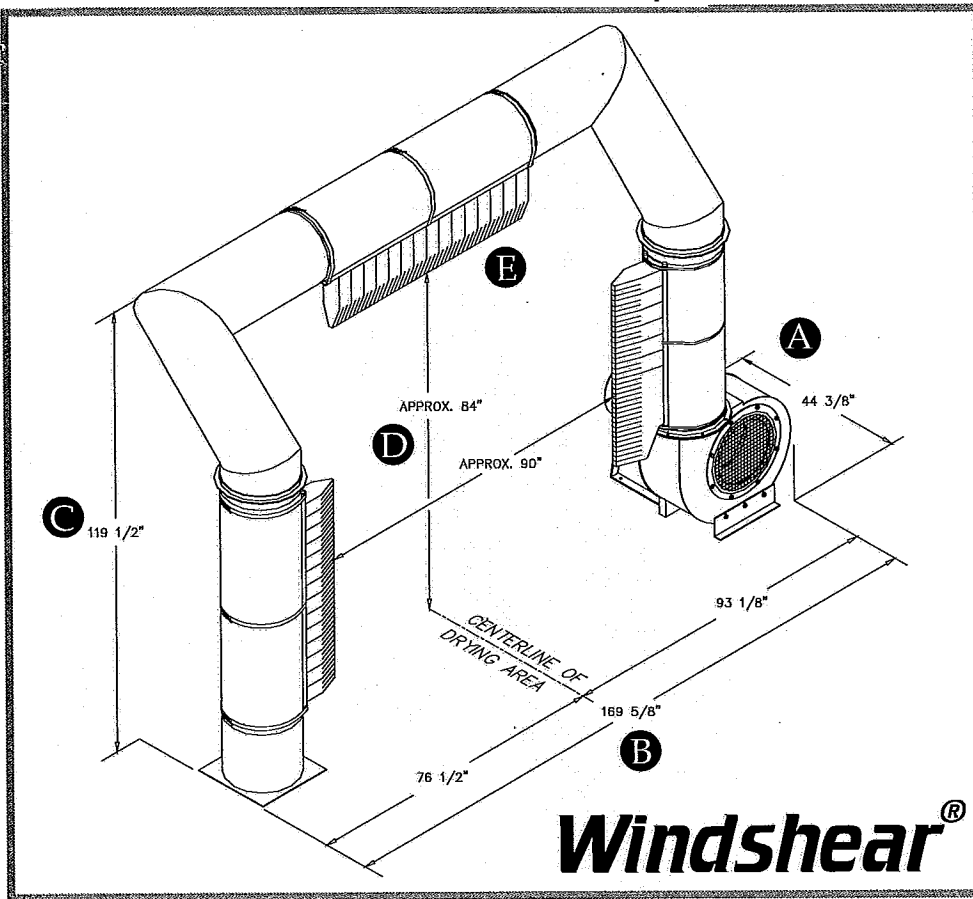
- Touch-less
- Low Maintenance
- Stand Alone or Modular System
- Compact Design

30hp Magnum Blowers

RECEIVED

CITY OF CAPITOLA





EQUIPMENT

- A** OVERALL LENGTH
44 3/8 in.
- B** OVERALL WIDTH
169 5/8 in.
- C** OVERALL HEIGHT
119 1/2 in.
- D** BAG HEIGHT
84 in.
- E** VERTICAL OPENING
60 in.

Machine Operating Requirements*

MOTORS

- 30 hp, 3600 RPM's
- 208-230 / 460 volts
- 1.15 service factor
- Frame: 286TS
- 3 Phase
- Fan-cooled, totally enclosed

NOTE: Wiring and controls to be provided by the purchaser: Additional motor specifications available upon request. Additional voltages available on special order.

EQUIPMENT OPTIONS

- Green, Red, Blue or Custom Bag Colors
 - The Silencer Package
 - Vehicle Recognition System (VRS)
- Weight: 1250 lbs. (approximate)

GENERAL DESCRIPTION

The Proto-Vest "Windshear" is designed as a stand alone drying system that is ideal for tunnels with a variety of line speeds. This patented system utilizes one (1) 30 hp Magnum blower, plenum and three (3) Proto-Duck™ air delivery bags designed to direct air around the vehicle as it passes under the equipment arch. Proto-Vest's blower/motor assemblies are engineered for both maximum efficiency and cost effectiveness allowing the system to operate with only one 30hp Magnum blower. With the improved performance of the Magnum blower assembly the Windshear's drying quality far surpasses any comparable horsepower dryer in its class.

Proto-Vest's stringent standards in material selection for dryers result in extended equipment life and reduced maintenance. The blower assembly is manufactured from steel that is powder coated while the impeller is electroplated. The blower is AMCA Class IV certified. The plenum is made from 5052-H32 aluminum, while the bags are produced from Proto-Duck™ materials. These materials resist corrosion and tearing.

FEATURES / BENEFIT'S

Patented Touchless Design:

Pressurized air flows through three (3) patented bags which direct the air to the vehicle's horizontal and vertical surfaces. It dries the hood, roof, deck, windows, and sides of the vehicle without touching.

Low Maintenance: Other than the blower / impeller assemblies, there are no moving parts to wear-out or break down. (Please note that Proto-Vest recommends routine maintenance in order to maximize product life.)

Line Speed Efficiency: As a stand alone unit the "Windshear" will provide an effectively dried car at a wide variety of line speeds.

Compact / Modular design: Designed to fit into limited space as a stand alone or supplemental dryer.

DECIBEL READINGS

With Silencer / Without Silencer	
(WS)	(WOS)
Windshear® - (1) 30hp dryer:	
WS: 10 ft=76.9 dBA;	WOS: 10 ft=91 dBA
WS: 20 ft=70.9 dBA;	WOS: 20 ft=84.9 dBA
WS: 30 ft=67.4 dBA;	WOS: 30 ft=81.4 dBA
WS: 40 ft=64.9 dBA;	WOS: 40 ft=78.9 dBA
WS: 50 ft=63 dBA;	WOS: 50 ft=77 dBA

(The above decibel readings are interpolated.)

SERVICE / SUPPORT

Proto-Vest recognizes that support after the sale of equipment is critical to the success of our customers. Our company offers its customers access to a wide range of services including: field service technicians, factory direct aftermarket parts, and an engineering staff for custom designed applications.

Proto-Vest Patents:
 U.S.: 3,942,430; 4,161,801; 4,409,035; 4,418,442; 4,433,450; 4,445,251; 4,446,592; 4,589,160; 4,700,426; 5,027,714; 5,184,369; 5,187,881; 5,195,207; 5,280,665; 5,421,102; 5,553,346; 5,886,648; 5,901,461; 5,950,324; 5,960,564; 6,038,781; 6,176,024; 6,519,872; others pending.
 Canada: 1,021,996; 1,111,328; 1,190,453; 1,201,040; 1,197,439; 1,219,195; 1,219,192; 1,219,194; 1,258,026; 1,219,193; 2,013,749; 2,071,568; 2,071,239; 2,071,388; others pending.



*Specifications subject to change without notice.

**If starting motor over 10-12 times an hour it may be more efficient to leave blower on.

Proto-Vest, Inc., 7400 N. Glen Harbor Blvd., Glendale, AZ 85307 • 800-521-8218 • 623-872-8300 • Fax 623-872-6150
 www.proto-vest.com

© Copyright 1998, Proto-Vest, Inc. All rights reserved.

Silencer Package

GENERAL DESCRIPTION

The Proto-Vest "Silencer Package" was developed to enable our dryers to meet OSHA, federal, state and local noise reduction standards. The OSHA permissible noise exposure is 85 dB for an 8-hour shift. By reducing noise levels into the 70 dB to 80 dB range, you can be assured of a pleasant environment for both your employees and customers. The Silencing Package is a standard feature on all Untouchable dryers, while the Stripper and Windshear drying systems can be equipped with the Silencing Package as an option. Using state-of-the-art materials, which require virtually no maintenance, Proto-Vest has designed three components to comprise the Silencer Package.

- **Blower Inlet:** reduces the noise generated by rapidly moving air being drawn into the blower assembly.
- **Blower-motor Cover:** houses the blower and motor completely to absorb noise emitted from the motor and impeller while providing the assembly additional protection.
- **Riser Can:** absorbs the noise created by the blower, impeller and the movement of the air as it leaves the blower by advancing through the dryer's plenum.

The Silencer Package reduces decibel levels on Proto-Vest dryers on an average of 10 decibels making them approximately 10 times quieter than the un-silenced models!

DECIBEL LEVEL READINGS

With Silencer (WS)

Without Silencer (WOS)

Windshear InBay - (2) 25hp Dryer:

WS: 10 ft=88 dBA;	WOS: 10 ft=94 dBA
WS: 20 ft=82 dBA;	WOS: 20 ft=88 dBA
WS: 30 ft=78.4 dBA;	WOS: 30 ft=84.5 dBA
WS: 40 ft=76 dBA;	WOS: 40 ft=82 dBA
WS: 50 ft=74 dBA;	WOS: 50 ft=80 dBA
WS: 60 ft=72.4 dBA;	WOS: 60 ft=78.4 dBA

Windshear - 30hp Dryer:

WS: 10 ft=76.9 dBA;	WOS: 10 ft=91 dBA
WS: 20 ft=70.9 dBA;	WOS: 20 ft=84.9 dBA
WS: 30 ft=67.4 dBA;	WOS: 30 ft=81.4 dBA
WS: 40 ft=64.9 dBA;	WOS: 40 ft=78.9 dBA
WS: 50 ft=63 dBA;	WOS: 50 ft=77 dBA

Windshear II - (2) 30hp Dryer:

WS: 10 ft=88 dBA;	WOS: 10 ft=99 dBA
WS: 20 ft=81.9 dBA;	WOS: 20 ft=92.9 dBA
WS: 30 ft=78.4 dBA;	WOS: 30 ft=89.4 dBA
WS: 40 ft=75.4 dBA;	WOS: 40 ft=86.9 dBA
WS: 50 ft=74 dBA;	WOS: 50 ft=85 dBA

TopShot - 30hp Dryer:

WS: 10 ft=76.9 dBA;	WOS: 10 ft=91 dBA
WS: 20 ft=70.9 dBA;	WOS: 20 ft=84.9 dBA
WS: 30 ft=67.4 dBA;	WOS: 30 ft=81.4 dBA
WS: 40 ft=64.9 dBA;	WOS: 40 ft=78.9 dBA
WS: 50 ft=63 dBA;	WOS: 50 ft=77 dBA

TopShot II - (2) 30hp Dryer:

WS: 10 ft=88 dBA;	WOS: 10 ft=99 dBA
WS: 20 ft=81.9 dBA;	WOS: 20 ft=92.9 dBA
WS: 30 ft=78.4 dBA;	WOS: 30 ft=89.4 dBA
WS: 40 ft=75.9 dBA;	WOS: 40 ft=86.9 dBA
WS: 50 ft=74 dBA;	WOS: 50 ft=85 dBA

TailWind - (1) 25hp Dryer:

WS: 10 ft=85 dBA;	WOS: 10 ft=91 dBA
WS: 20 ft=79 dBA;	WOS: 20 ft=85 dBA
WS: 30 ft=75.5 dBA;	WOS: 30 ft=81.5 dBA
WS: 40 ft=73 dBA;	WOS: 40 ft=79 dBA
WS: 50 ft=71 dBA;	WOS: 50 ft=77 dBA

SideShot - 15hp Dryer:

WS: 10 ft=74.5 dBA;	WOS: 10 ft=82.9 dBA
WS: 20 ft=68.5 dBA;	WOS: 20 ft=76.9 dBA
WS: 30 ft=64.9 dBA;	WOS: 30 ft=73.4 dBA
WS: 40 ft=62.4 dBA;	WOS: 40 ft=70.9 dBA
WS: 50 ft=60.5 dBA;	WOS: 50 ft=69 dBA

SideShot II - 30hp Dryer:

WS: 10 ft=76.9 dBA;	WOS: 10 ft=91 dBA
WS: 20 ft=70.9 dBA;	WOS: 20 ft=84.9 dBA
WS: 30 ft=67.4 dBA;	WOS: 30 ft=81.4 dBA
WS: 40 ft=64.9 dBA;	WOS: 40 ft=78.9 dBA
WS: 50 ft=63 dBA;	WOS: 50 ft=77 dBA

90N/90XS - 15hp Dryers:

WS: 10 ft=74.5 dBA;	WOS: 10 ft=82.9 dBA
WS: 20 ft=68.5 dBA;	WOS: 20 ft=76.9 dBA
WS: 30 ft=64.9 dBA;	WOS: 30 ft=73.4 dBA
WS: 40 ft=62.4 dBA;	WOS: 40 ft=70.9 dBA
WS: 50 ft=60.5 dBA;	WOS: 50 ft=69 dBA

IP330 - 30hp Dryers:

WS: 10 ft=76.9 dBA;	WOS: 10 ft=91 dBA
WS: 20 ft=70.9 dBA;	WOS: 20 ft=84.9 dBA
WS: 30 ft=67.4 dBA;	WOS: 30 ft=81.4 dBA
WS: 40 ft=64.9 dBA;	WOS: 40 ft=78.9 dBA
WS: 50 ft=63 dBA;	WOS: 50 ft=77 dBA

(Proto-Vest's Silencing Package is standard on all of the Untouchable series.)

IP345 - 45hp Dryers:

WS: 10 ft=76.9 dBA;	WOS: 10 ft=91 dBA
WS: 20 ft=70.9 dBA;	WOS: 20 ft=84.9 dBA
WS: 30 ft=67.4 dBA;	WOS: 30 ft=81.4 dBA
WS: 40 ft=64.9 dBA;	WOS: 40 ft=78.9 dBA
WS: 50 ft=63 dBA;	WOS: 50 ft=77 dBA

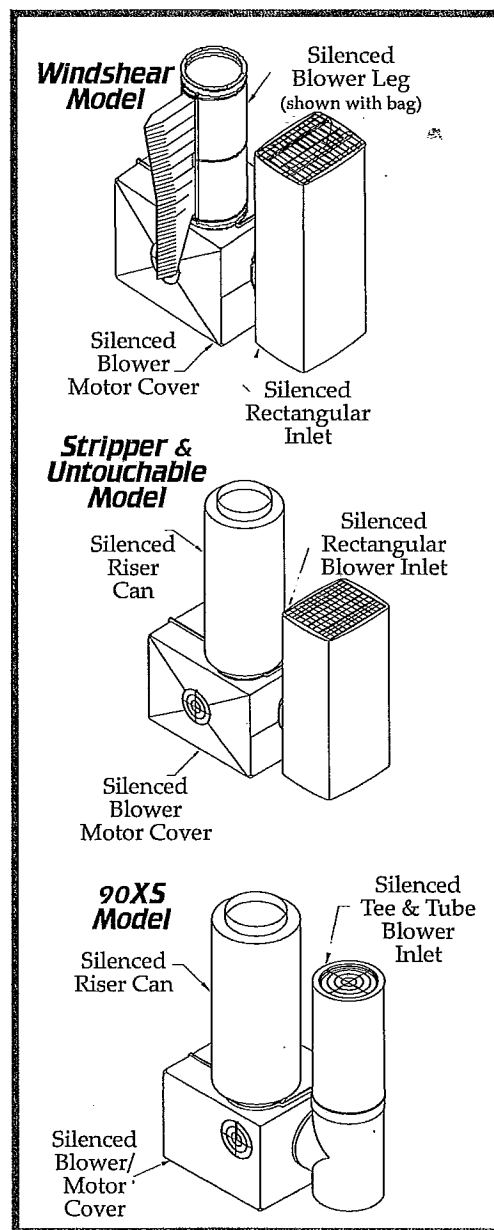
(Proto-Vest's Silencing Package is standard on all of the Untouchable series.)

*Specifications subject to change without notice.
NOTE: Proto-Vest dryer's dimensions will vary with the Silencer Package.

Proto-Vest, Inc., 7400 N. Glen
Harbor Blvd., Glendale, AZ 85307
800-521-8218 • 623-872-8300 •

Fax 623-872-6150
www.protovest.com

© Copyright 1998, Proto-Vest, Inc. All rights reserved.



Proto-Vest, Inc.

PROTECT YOUR INVESTMENT WITH



BI-FOLD DOORS



RYKO has answered the #1 problem of car wash operations by providing a new concept in automatic door systems. Ryko's Bi-Fold Doors incorporate a very simple, reliable design made specifically for the car wash environment with security and service needs in mind.

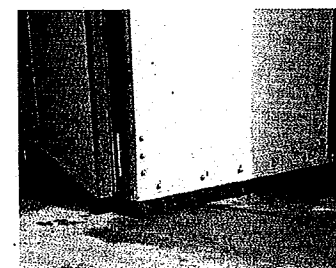
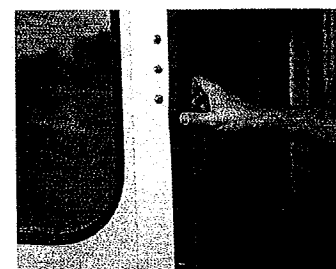
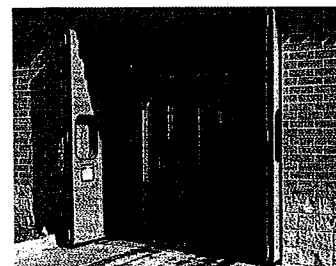
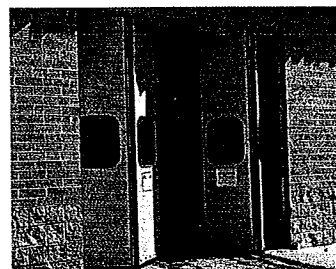
Each set of RYKO's Bi-Fold Doors is made of h Item #: 5. Attachment C. Carwash Tech Info.pdf
minum, the doors are able to retain their great looks over the years of service in all types of weath-
er conditions. Sandwiched between the aluminum is 2 inches of insulation
providing not only heat conservation, but also assisting in reducing noise
pollution.

The doors are operated pneumatically enabling them to operate virtu-
ally without interruption in all climates. Pneumatic operation also reduces
the number of moving parts required to open and close the doors so there
is less downtime and maintenance.

When opening, the doors fold to the sides and out, away from the
bay. This is an important design feature to insure that the doors take up no
valuable bay space. This allows them to be fitted into bays that are already
extremely limited on space. Also, by opening to the sides and not over-
head, water will not collect and cascade on a dry car as it leaves the bay.

To insure your customers' safety, we have equipped the Bi-Fold
Doors with Safety Reversing Sensors enclosed in the rubber bumpers on
the edges of the doors. If these sensors come in contact with objects, the
doors will immediately reverse direction and return to an open position
until reset.

The bottom of the door is broom-like and serves two functions; as a
sealing device to help keep drafts from creeping in and also as a broom
that sweeps debris out of the door track and the vehicle's path.



RYKO's commitment to build the finest vehicle wash equipment available is dis-
played in the craftsmanship and quality of the RYKO Bi-Fold Door. Designed to be
used with RYKO vehicle wash systems, the Bi-Fold Door is the perfect addition to
your existing or future RYKO equipment location. To find out more about RYKO's
Bi-Fold Doors, contact your local RYKO distributor or call (515) 986-3700.

WE'RE WASHING OVER A MILLION VEHICLES A DAY!
RELIABLE • PROVEN • ACCEPTED



RYKO Manufacturing Company
11600 NW 54th Ave. • P.O. Box 38
Grimes, Iowa 50111
(515) 986-3700 • FAX (515) 986-3621

THIS PAGE INTENTIONALLY LEFT BLANK



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

DATE: DECEMBER 5, 2013

SUBJECT: **115 San Jose Avenue #13-160 APN: 035-221-17**
Conditional Use Permit for outdoor seating and an outdoor ATM in the CV
(Central Village) Zoning District.
Environmental Determination: Categorical Exemption
Owner: Capitola Associates, LLC
Representative: Shane Gomes, filed: 11/12/2013

APPLICANT'S PROPOSAL

The applicant is requesting a Conditional Use Permit (CUP) to incorporate outdoor seating and an ATM at 115 San Jose Avenue in the CV (Central Village) zoning district. The ATM and outdoor seating are located within the outdoor plaza of the Mercantile, visible from the Esplanade. The ATM faces into the plaza and not the street.

DISCUSSION

Within the Central Village zoning district, the location of business activity is regulated as follows:

§17.21.035 Location of business activities.

There shall be no business activities such as the display of merchandise, selling of food, or placing tables and chairs outside the enclosed premises of the business unless a conditional use permit for outdoor display of merchandise, take-out window or outdoor seating has been obtained from the City.

ATM

In early November, the applicant installed a new ATM on the plaza to replace the previous ATM which was enclosed in the small kiosk located near the entrance to the parking lot. Staff received multiple code enforcement complaints regarding the new ATM color. An ATM is a business activity; therefore requires approval of a Conditional Use Permit when located outside. Staff notified the property management that a Conditional Use Permit application must be submitted. Within one week, the owner of the Mercantile submitted the application. The newly installed ATM is a bright lime green color. The applicant plans to paint the ATM a light yellow color to match the exterior of the Mercantile.

Quasi-Public Seating Area

The Mercantile accommodates a mix of local businesses including retail shops, restaurants, and a coffee shop. On the west end of the property there is a spacious plaza that is accessed off the Esplanade. The applicant is requesting a conditional use permit for five patio tables with seating on the existing plaza for public use. The seating area will be a "quasi-public seating area" which means an area located in a privately owned shopping center which is open to all of the patrons of all of the businesses of the shopping center and which consists of a seating area

or similar area where there are tables, chairs, benches, landscaping or other similar amenities. Quasi-public seating areas are exempt from the parking requirements of the municipal code (§17.15.105) but must obtain a conditional use permit within the CV District.

Conditional Use Permit

Section 17.60.030 outlines the considerations in the review of a Conditional Use Permit application. The following underlined considerations are applicable to the current application and must be reviewed by the Planning Commission prior to approval of a CUP.

A. In considering an application for a conditional use, the planning commission shall give due regard to the nature and condition of all adjacent uses and structures. In issuing a conditional use permit, the commission may impose requirements and conditions with respect to location, design, siting, maintenance and operation of the use in addition to those expressly provided in this chapter for the particular use, as may be necessary for the protection of the adjacent properties and in the public interest.

Staff analysis: The plaza is located within a prime shopping and entertainment area of the Central Village frequented by visitors. The quasi-public seating area will complement the adjacent uses by providing visitors with an opportunity to sit and relax while observing the surrounding shops and restaurants. The location of the quasi-public seating area and ATM do not create any issues with pedestrian circulation. Adequate spacing exists between the tables. The ATM faces into the private plaza; therefore, people waiting to utilize the ATM would do so from within the plaza and not interfere with the pedestrian circulation on the sidewalk.

B. In approving a use permit, the commission may include such conditions as the commission deems reasonable and necessary under the circumstances to preserve the integrity and character of the district and to secure the general purposes of this title, the general plan, and the local coastal program. Such conditions, without limiting the discretion and authority of the commission, may include time limitations, further architectural and site review, street dedication, and street and drainage improvements.

The Planning Commission may include Conditions of Approval relevant to the application that are deemed necessary to preserve the integrity and character of the Central Village district. Staff has included two conditions of approval to regulate color and access.

RECOMMENDATION

The Community Development staff recommends the approval of the quasi-public seating area and ATM within the private plaza, as conditioned.

CONDITIONS

1. The ATM shall be painted to match the Mercantile. No reflective lettering or paint is allowed.
2. The ATM shall be oriented so access is from within the plaza and does not obstruct pedestrian flow within the sidewalk.

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 project proposes a compatible land uses that can be mitigated through proper management by the applicant. Allowing a quasi-public seating area and

an ATM within the Central Village zoning district will not cause impacts to the adjacent commercial or residential dwelling units. The application reflects 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 reviewed the project. The project conforms with the conditional use permit standards of the Capitola Municipal Code. As conditioned, the conditional use complements the existing character and integrity of the Central Village.
- 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.** The proposed project involves a conditional use permit with no expansion of use beyond what has currently existed. No adverse environmental impacts were discovered during project review by either the Planning Department Staff or the Planning Commission.

ATTACHMENTS

- A. Site plan with tables and ATM

**Report Prepared By: Katie Cattan
Senior Planner**

THIS PAGE INTENTIONALLY LEFT BLANK

