

City of Capitola Special Planning Commission Meeting Minutes



City Council Chambers
420 Capitola Avenue, Capitola, CA 95010

Chairperson: Courtney Christiansen

Commissioners: Paul Estey, Gerry Jensen, Susan Westman, Peter Wilk

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1. **Roll Call and Pledge of Allegiance** – The meeting was called to order at 5:05 PM. In attendance: Commissioners Estey, Jensen, Westman, Wilk, and Chair Christiansen.
 2. **Additions and Deletions to the Agenda** – None
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 - A. Updated Attachment & Two Emails – Item 7A
 - B. One Email – Item 7C
 4. **Oral Communications**
 - Gorin Klepic
 5. **Planning Commission/Staff Comments**
 - Commissioner Estey inquired about vacancy rates of housing inventory within Capitola and requested that staff provide a response to the Commission.
 6. **Consent Calendar**
 - A. Approval of February 1, 2024, Planning Commission Meeting Minutes
 - B. Approval of February 15, 2024, Special Planning Commission Meeting Minutes
 - C. Approval of March 7, 2024, Planning Commission Meeting Minutes

Motion to approve the Consent Calendar: Commissioner Westman
Seconded: Commissioner Jensen
Voting Yea: 4-0-1 (Estey abstained from 2/1 minutes, approved the others)
 7. **Public Hearings**
 - A. **1400 Wharf Road – Capitola Wharf**

Project Description: Amendment to permit #20-0141, a Design Permit and Conditional Use Permit for the rehabilitation, repair, and expansion of the historic Capitola Wharf. The Capitola Wharf is located at 1400 Wharf Road within the PF (Public Facilities) zoning district, at APN: 034-072-01, -02. This project received a Coastal Development Permit issued by the California Coastal Commission.

Recommended Action: Approve the amendments for permit #20-0141 and provide direction to proceed with option 2 for the layout and location of the donor panels.

Chair Christiansen and Commissioner Jensen recused themselves from the item due to conflicts of interest.

Community Development Director Herlihy presented the staff report. Dan Townsend, Fuse Architects, spoke about the project's design. Gayle Ortiz, CWEP, spoke on the fundraising groups' perspective.

Public Comments:

- **Karin Hanna**
- **Steve Eiling**
- **Joe Beltrame**

The Planning Commission directed staff to implement Option 2 with a request for flexibility in the placement of the donor panels to the left of the bike racks to create adequate spacing; expressed a preference for the wood paneling on the bathroom; and provided direction to staff to reposition the entry light pole to improve aesthetics.

Motion to approve the amendments to Permit #20-0141 with the direction provided to staff: Commissioner Westman

Seconded: Commissioner Estey

Voting Yea: 2-1-2 (Wilk - No; Christiansen and Jensen – Recused)

Conditions of Approval:

1. The project affirms the original approval of a Design Permit, Conditional Use Permit, and Initial Study/Mitigated Negative Declaration for the rehabilitation and repair of the historic Capitola Wharf. The project is conditioned under the existing Conditions of Approval for permit #20-0141 by the Planning Commission on June 4, 2020, except as modified through conditions imposed by the Planning Commission on May 4, 2023; March 7, 2024; and March 27, 2024.

B. 722 Escalona Drive

Project Description: Tree Removal Permit #24-0105 for the removal of 35 trees, located within the PD (Planned Development) zoning district.

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

Environmental Determination: Categorical Exemption

Recommended Action: Approve application #24-0105 based on the attached Conditions and Findings for approval.

Associate Planner Sesanto presented the staff report.

Public Comments:

- **Speaker**

The Planning Commission thanked the City's arborist for their efforts and expressed concerns about the Monarch butterflies but recognized that any impacts were mitigated.

Motion to approve Application #24-0105: Commissioner Wilk

Seconded: Commissioner Westman

Voting Yea: 5-0

Tree Removal Findings:

A. The removal of the tree is in the public interest with respect to unreasonable existing and potential property damage.

Most trees marked for removal suffer from over competition and create heightened risk for wildfire. Tree thinning is an established forestry practice that promotes healthier growth among

remaining trees and can reduce fire risk. Six additional trees pose substantial risk to safety, property damage, or both.

B. There are no feasible alternatives to tree removal that secure the purposes of the Community Tree and Forest Management Ordinance.

The subject site has an unmanaged, densely populated grove of eucalyptus trees. There are no feasible alternatives to tree removal as most trees marked for removal suffer from over-competition and create heightened risk for wildfire. Tree thinning is an established forestry practice that promotes healthier growth among remaining trees and can reduce fire risk. Six additional trees have unmitigable structural conditions that are likely to failure if not removed.

C. The type, size and schedule for planting replacement trees is specified and shall be concurrent with the tree removal or prior to it, in accordance with Section 12.12.190(F) and (G).

Replacement trees are not required if the post-removal tree canopy coverage on the site or parcel will be 30% or more. The post removal canopy coverage is estimated to exceed 30%. Some of the canopy openings will fill over time from the remaining stand of trees. Therefore, no replacement trees are required to accomplish the goals of Section 12.12.190(F).

D. The removal of the tree would not be contrary to the purposes of this chapter and Chapter 17.64, Environmentally Sensitive Habitat Areas.

The proposed removals are based on good forestry practices, public safety, and protection of property from substantial harm. The removals are consistent with the purposes of chapter 12.12 and 17.64.

Conditions of Approval:

1. The project approved consists of a tree removal permit for the removal of 35 trees within the public right-of-way between Park Avenue and the rail corridor. The project is approved as described in the staff report by the Planning Commission on March 27, 2024, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Tree work within the habitat area shall be avoided during the months in which the monarch butterflies are in residence (October 1st to March 1st). Heavy equipment that has the potential to emit plumes of exhaust smoke shall be located as far from the habitat area as feasible.

C. City Property along Park Avenue

Project Description: Tree Removal Permit #24-0106 for the removal of 22 trees between Park Avenue and the rail corridor.

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

Environmental Determination: Categorical Exemption

Recommended Action: Approve application #24-0106 based on the attached Conditions and Findings for approval.

Associate Planner Sesanto presented the staff report.

Public Comments: None

The Planning Commission commended the City's arborist and staff for managing this project and clarified that the tree removals are not a part of the RTC's Rail Trail Project.

Motion to approve Application #24-0106: Commissioner Estey

Seconded: Commissioner Jensen

Voting Yea: 5-0

Tree Removal Findings:

A. The proposed tree removals are in the public interest.

City staff and arborist evaluation found the identified trees had one or more causes for removal, including being invasive species, poor or hazardous structural conditions, and/or poor health. Removal of the identified trees is in the public interest.

B. There are no feasible alternatives to tree removal that secure the purposes of the Community Tree and Forest Management Ordinance.

As noted in the arborist report, pruning treatments will be pursued where it is believed to be a feasible mitigation. Trees found to have no feasible alternatives are proposed for removal to adequately mitigate existing tree conditions or risk factors.

C. The type, size and schedule for planting replacement trees is specified and shall be concurrent with the tree removal or prior to it, in accordance with Section 12.12.190(F) and (G).

Replacement trees are not necessary to meet the city canopy coverage goal within the area. One benefit to removing the proposed trees is the new openings will allow the remaining trees to create fuller canopies.

D. The removal of the tree would not be contrary to the purposes of this chapter and Chapter 17.64, Environmentally Sensitive Habitat Areas.

The proposed removals are based on good forestry practices, public safety, and protection of property from substantial harm. The removals are consistent with the purposes of chapter 12.12 and 17.64.

Conditions of Approval:

1. The project approval includes a tree removal permit for the removal of 22 trees and pruning work within the public right-of-way between Park Avenue and the rail corridor. The project is approved as described in the staff report by the Planning Commission on March 27, 2024, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Tree work near or within the habitat area shall be avoided during the months in which the monarch butterflies are in residence (October 1st to March 1st). Heavy equipment that has the potential to emit plumes of exhaust smoke shall be located as far from the habitat area as feasible.

8. **Director's Report** – *Community Development Director Herlihy advised the Commission of the groundbreaking event for 4401 Capitola Road, provided an update that the 1098 38th Avenue Project will be placed on the April 4th Planning Commission Agenda, and shared an update on the City's Updated Housing Element.*

Commissioner Wilk requested a hard copy agenda packet when agenda packets contain plan sets or large image file sizes.

9. **Adjournment** – **Adjourned at 7:14 PM to the next regularly scheduled meeting of the Planning Commission on April 4, 2024, at 6:00 PM.**