

Capitola Planning Commission

Agenda Report



Meeting: February 2, 2023
From: Community Development Department
Topic: 524 Pilgrim Drive

Permit Number: #22-0372

APN: 035-103-04

Design Permit for a single story addition and remodel. The addition will both enclose the existing front porch, extend off the rear of the building, and includes a portion of the attic for a total increase of 379 square feet. The project requires Planning Commission review due to the proposed roof height exceeding 15 feet tall.

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

Environmental Determination: Categorical Exemption 15301(e)

Property Owner: Udesch Naicker

Representative: Udesch Naicker, Filed: 08.22.22

Applicant Proposal:

The applicant is proposing a remodel and first floor additions to an existing 1,267 square-foot single-story residence in the R-1 (Single-Family Residential) zoning district. The project requires Planning Commission review due to a portion of the new mono-plane roof extending above 15 feet in height. Staff informed the applicant that the project would qualify for a Minor Design Permit if the design was altered not to exceed 15 feet in height, but the applicant chose to maintain the original roof design.

Background:

On January 23, 2023, Development and Design Review Staff reviewed the application and provided the applicant with the following direction:

Public Works Representative, Kailash Mozumder: noted that site stormwater must be kept onsite and not drain to neighboring properties.

Building Official, Robin Woodman: had no comments.

Senior Planner, Brian Froelich: had no comments.

Development Standards:

The following table outlines the zoning code requirements for development in the Single-Family Residential Zoning District.

Lot Standards		
	Existing	Proposed
Lot Size	5,000 sq. ft.	5,000 sq. ft.
Max Floor Area Ratio	50% (Max 2,500 sq. ft.)	50% (Max 2,500 sq. ft.)
Primary Dwelling Unit	1,267 sq. ft.	1,646 sq. ft.

Detached Garage	490 sq. ft.	490 sq. ft.	
TOTAL FAR	35.1% (1,757 sq. ft.)	42.7% (2,136 sq. ft.)	
Parking			
	Required	Existing	Proposed
Residential (1,501-2,000 sq. ft.) *Garage exempt	3 spaces total 1 covered 2 uncovered	4 spaces total 2 covered 2 uncovered	3 spaces total 1 covered 2 uncovered
Underground Utilities: required with 25% increase in area		No	
Development Standards – Detached Garage			
	R-1 Regulation	Existing	Proposed
Floor Area	N/A	490 sq. ft.	490 sq. ft.
Maximum Height	15 feet	12 feet	12 feet
Front Yard	20 feet	65 feet	65 feet
Side Yard	3 ft.	North: 26 feet South: 3 ft. 8 in.	North: 26 feet South: 3 ft. 8 in.
Rear Yard	3 ft.	14 ft. 1 in.	14 ft. 1 in.
Development Standards – Primary Residence			
	R-1 Regulation	Existing	Proposed
Maximum Height	25 ft.	12 ft. 7 in.	17 ft. 5 in.
Front Yard 1st Story	15 ft.	14 ft. 6 in. (nonconforming)	15 ft. (addition)
Side Yard 1st Story	5 ft.	North: 3 ft. 8 in. (nonconforming) South: 12 ft. 3 in.	North: No change South: 12 ft. 3 in. (addition)
Rear Yard 1st / 2nd Story	20 ft.	43 ft. 2 in.	No change

Discussion:

The existing residence at 524 Pilgrim Avenue is a 1,267 square-foot, one-story, single-family residence. The home is a ranch style with a hip roof and was built in 1960. The proposed remodel/addition would enclose the front porch, add to the rear of the residence, and incorporates a new contemporary mono-plane roof line. The property is a mid-block lot that backs up to the Lower Beach and Village parking lot. The immediate neighborhood area includes primarily one- and a few two-story single-family residences.

The proposed design utilizes a mix of horizontal board siding and stucco and charcoal colored composition shingle roof. The property has an existing two-car garage behind the residence which is accessed from a single width driveway. The garage is clad in stucco and will be painted to match the house.

Parking

The proposal requires three parking spaces, one covered and two uncovered. The existing parking includes two covered garage spaces and two tandem driveway spaces. The addition to the rear of the home makes maneuvering into the second garage stall no longer possible. Staff informed the applicant that the garage would be considered only a single car garage for purposes of this permit request and may preclude further additions. The site provides the required parking of three parking spaces with one covered.

Legal Nonconformity

The existing residence was constructed in 1960 and sits at three feet eight inches from the north side property line where five feet is the current standard and 14 feet six inches from the front property line where 15 feet is the current standard. This makes the existing residential structure legal nonconforming per section 17.92.030. Legal nonconforming structures are permitted to be altered such that the alterations do not exceed 80% of the structure's value. Staff calculated that the proposed project results in a 66.8% valuation and is compliant with this standard.

CEQA:

Section 15301(e) of the CEQA Guidelines exempts additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less. The proposed additions add 362 square feet (22%) of floor area, so this exemption applies. No adverse environmental impacts were discovered during project review by Planning Department Staff.

Recommendation:

Staff recommends the Planning Commission **approve** application #22-0372 with the following Conditions and Findings for Approval.

Attachments:

1. Plan Set
2. Construction Cost Breakdown

Conditions of Approval

General

1. 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.
2. 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.
3. 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

Planning

4. The project approval consists of construction of a remodel and 397-square-foot single-story additions to an existing nonconforming single-family residence. The maximum Floor Area Ratio for the 5,000-square-foot property is 50% (2,500 square feet). The total FAR of the project is 42.7% with a total of 2,136 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 February 2, 2022, except as modified through conditions imposed by the Planning Commission during the hearing.

5. 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.
6. 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 17.156.080.
7. 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.
8. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
9. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
10. Prior to issuance of building permit, all Planning fees associated with permit #22-0372 shall be paid in full.
11. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Creek Water District, and Central Fire Protection District.

Public Works

12. Submit a temporary construction sediment and erosion control plan (construction bmp's), including The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
13. Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP) shall be printed in full and incorporated as a sheet into the construction plans.
14. Prior to issuance of building permits, the applicant shall submit a site drainage plan to the satisfaction of the Director of Public Works which incorporates a runoff reduction measure into the site plan, e.g., disperse runoff to vegetated area, pervious paving, rain barrel or cistern which implements applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).

15. Site runoff shall not drain onto the adjacent parcels.
16. Prior to 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.
17. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work.
18. No material or equipment storage may be placed in the road right-of-way.

Design Permit Findings

A. The proposed project is consistent with the general plan, local coastal program, and any applicable specific plan, area plan, or other design policies and regulations adopted by the city council.

Community Development Staff, the Design and Development Review Committee, and the Planning Commission have all reviewed the project. The proposed 397 square-foot single-story addition and remodel is consistent with the general plan and the local coastal program.

B. The proposed project complies with all applicable provisions of the zoning code and municipal code.

Community Development Staff, the Design and Development Review Committee, and the Planning Commission have all reviewed the project. The proposed 397-square-foot single-story addition complies with all development standards of the R-1 (Single-Family Residential) zoning district.

C. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

Section 15301(e) of the CEQA Guidelines exempts additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less. The proposed additions add 397 square feet (22%) of floor area, so this exemption applies. No adverse environmental impacts were discovered during review of the proposed project.

D. The proposed development will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity.

Community Development Staff, the Design and Development Review Committee, and the Planning Commission have all reviewed the project. The proposed 397-square-foot single-story addition will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity.

E. The proposed project complies with all applicable design review criteria in Section 17.120.070 (Design review criteria).

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The 397-square-foot single-story addition complies with the applicable design review criteria as described in the staff report.

F. For projects in residential neighborhoods, the proposed project maintains the character, scale, and development pattern of the neighborhood.

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the application for the 397-square-foot single-story addition. The single-story design of the home, with a mono plane roof, asphalt composition shingles, horizontal wood board and stucco siding, is different in style but remains a single story and will blend appropriately with the existing neighborhood. The project will maintain the character, scale, and development pattern of the neighborhood.

Prepared by: Brian Froelich