

City of Capitola

Planning Commission Meeting Minutes

Thursday, December 04, 2025 – 6:00 PM



City Council Chambers

420 Capitola Avenue, Capitola, CA 95010

Chairperson: Paul Estey

Commissioners: Matthew Howard, Nathan Kieu, TJ Welch, Courtney Christiansen

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1. **Roll Call and Pledge of Allegiance** - *The meeting was called to order at 6:00 PM. In attendance: Commissioners Howard, Kieu, Welch, Vice Chair Christiansen, Chair Estey.*
 2. **Additions and Deletions to the Agenda** - *The Deputy City Clerk announced that five emails had been received for Item 6C.*
 3. **Oral Communications** – *None*
 4. **Planning Commission/Staff Comments**
Commissioner Welch announced that the Santa Cruz County Regional Transportation Commission voted to advance the interim trail in segments 8-11; Chair Estey complimented the work of Consultant Ben Noble and staff on the drafting of the proposed Zoning Code amendments; Director Herlihy reminded the Commission that this is the last meeting of the year, and a new Chair and Vice Chair will be selected at the meeting on January 15, 2026.
 5. **Consent Calendar**
 - A. **Approval of October 30, November 6, and November 19, 2025 Planning Commission Minutes**
 - B. **2026 Regular Meeting Schedule**
Recommended Action: Adopt the 2026 Regular Meeting Schedule of the Planning Commission.
 - C. **620 Capitola Avenue, New Brighton Middle School**
Project Description: Application #25-0578. APN: 036-101-38, 035-151-19. Coastal Development Permit for field improvements to New Brighton Middle School, including an electronic scoreboard, perimeter fencing, and upgrades to the public pathway between Orchid Avenue and Monterey Avenue Park. The project is located within the CF (Community Facility) Zoning District.
The Coastal Development Permit is not appealable to the California Coastal Commission.
Environmental Determination: Categorical Exemption
Property Owner: Soquel Union Elementary School District
Representative: Scott Turnbull, SUESD, Filed: 11/14/2025
Recommended Action: Continue item to the next regularly scheduled Planning Commission meeting on January 15, 2026.

Motion to approve the Consent Calendar: Vice Chair Christiansen

Second: Commissioner Kieu

Voting Yea: 5-0

6. Public Hearings

A. 201 Esplanade

Project Description: Application #25-0494. APN: 035-211-05. Conditional Use Permit for the sale and onsite consumption of beer and wine at an existing restaurant located within the Mixed-Use Village (MU-V) zoning district. This project is in the Coastal Zone but does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption

Recommended Action: Consider application #25-0494 and approve the project based on the attached Conditions and Findings for Approval.

Associate Planner Sesanto presented the staff report.

Public Comment: None

Motion to approve Application #25-0494 based on the Conditions and Findings for approval: Vice Chair Christiansen

Second: Commissioner Howard

Voting Yea: 5-0

B. 413 Capitola Avenue

Project Description: Application #25-0580. APN: 035-131-33. Variance to amend Permit #23-0524 to waive the underground utility requirement for new construction. Original approval included the construction of a two-story single-family residence and attached JADU with a variance to reduce the number of required parking spaces.

The project is located within the MU-N (Mixed Use Neighborhood) Zoning District.

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

Environmental Determination: Categorical Exemption

Recommended Action: Consider Application #25-0580 and approve the project based on the Conditions and Findings for Approval.

Commissioner Welch recused himself due to his employment with PGE.

Associate Planner Sesanto presented the staff report.

Public Comment: None

The Commission discussed the conditions imposed with Application #25-0580.

Motion to approve Application #25-0580 based on the Conditions and Findings for approval, with addition of Condition 4 recommended by staff: Commissioner Howard

Second: Commissioner Kieu

Voting Yea: Commissioners Howard, Kieu, Christiansen, Estey

Abstain: Commissioner Welch

Variance Findings:

- A. **There are unique circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, that do not generally apply to other properties in the vicinity or in the same zone as the subject property.**

Staff Analysis: The lot is small by Capitola standards, which is acknowledged by Section 17.20.040[3] that allows the Planning Commission to reduce setbacks for lots between the Trestle and 431 Capitola Avenue without requiring a Variance. This specific area of

the City includes 15 lots that average 1,594 square feet; the subject property is 1,384 square feet. The property is also irregular in shape with angled front, side, and rear lot lines, and several jogs on the south side property line. The existing shared utility easement along the southern property line between the subject property and 411 Capitola Avenue cannot be utilized due to PG&E and CPUC standards for recorded easement language and clearances for new service connections. Amending the utility easement requires consent from the property owners of 411 Capitola Avenue which the applicant has been unable to obtain. There are no feasible alternatives within the small lot for another location to install the utilities underground.

B. The strict application of the zoning code requirements would deprive the subject property of privileges enjoyed by other property in the vicinity or in the same zone as the subject property.

Staff Analysis: Numerous properties within the vicinity and zoning district continue to have overhead electrical service connections, as undergrounding is required only for new construction or major remodels. However, the strict application of the zoning code requirement would require the owner to obtain a new easement from the adjacent property owners, which the City cannot grant, nor can the subject property owner compel.

C. The variance is necessary to preserve a substantial property right possessed by other property in the vicinity or in the same zone as the subject property.

Staff Analysis: The project was designed and approved to comply with underground utility requirement via an existing utility easement area. However, after completing most construction, the property owner was informed by PG&E that a new easement is required with the adjacent property, which they are unable to obtain. Therefore, the variance is necessary for the completion of the subject property's project.

D. The variance will not be materially detrimental to the public health, safety, or welfare, or be injurious to the properties or improvements in the vicinity or in the same zone as the subject property.

Staff Analysis: The project involves a single-family residence and JADU and will not negatively impact the public, properties or improvements in the vicinity or in the same zone as the subject property. The variance allows overhead electrical connection in a manner similar prior development on the subject property. There are no current or foreseeable plans for removal of the affected power pole or other poles from this segment of Capitola Avenue.

E. The variance does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity or in the same zone as the subject property.

Staff Analysis: The subject property is irregularly shaped with limited frontage. The recent development was designed, approved, and constructed in good faith with expectation of complying with the underground electrical requirement by utilizing the existing utility corridor between 411 and 413 Capitola Avenue. As the project neared completion, it was discovered that plans previously accepted by PG&E were deficient and the only means of meeting PG&E specifications was to obtain a new recorded easement over 411 Capitola Avenue, which is separately owned. The variance does not constitute a grant of special privilege owing to the lack of feasible alternatives to compliance with this standard, which has distinct constraints by comparison to properties in the vicinity and in the same zone as the subject property.

F. The variance will not have adverse impacts on coastal resources.

Staff Analysis: The property does not contain existing coastal resources or public coastal access and will not have an adverse impact on nearby coastal resources.

California Environmental Quality Act (CEQA)

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

Section 15303 of the CEQA Guidelines exempts the construction of small facilities or structures, including a single-family residence in a residential zone, or up to three single-family residences in an urbanized area. The previously approved project includes the construction of a new residential structure which includes one JADU in the MU-V (Mixed-Use Village) zoning district. The proposed amendment is a Variance to allow the electric utility connection to remain overhead rather than placed underground. The proposed amendment is also consistent with Section 15303 of the CEQA Guidelines.

Conditions of Approval:

1. The project approval consists of a permit amendment of #23-0523 for a Variance to the utility underground requirement. The amendment does not modify the original scope of work. The maximum Floor Area Ratio for the 1,456 square foot property is 100% (1,456 square feet). The total FAR of the project is 95% with a total of 1,384 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 4, 2025, except as modified through conditions imposed by the Planning Commission during the hearing.
2. The project shall adhere to all original conditions of approval, except for Condition #14 (underground utility requirement), which is waived.
3. Prior to issuance of building permit, all Planning fees associated with permits #23-0524 and #25-0580 shall be paid in full.
4. At such time the City Council designates the area an underground utility district, the property owner of 413 Capitola Avenue shall, at their expense, remove all overhead facilities and install underground utilities. Removal and replacement of services to the property shall follow the time and manner described within Chapter 13.08 of Capitola Municipal Code (Underground Utility Districts).

C. Capitola Mall Properties Zoning Code Amendments

Project Description: Amendments to Capitola Municipal Code Title 17: Zoning Code and the General Plan Land Use Element for Capitola Mall properties located between Clares Street, 41st Avenue, and Capitola Road. The proposed amendments implement the 6th Cycle Housing Element of the General Plan to facilitate mixed use redevelopment on Capitola Mall properties. The Zoning Code is part of the City's Local Coastal Program (LCP) and amendments require certification by the California Coastal Commission before taking effect in the Coastal Zone.

Recommended Action: Consider amendments to the draft Zoning Code and General Plan amendments and either 1) adopt resolutions recommending the City Council adopt the proposed Zoning Code and General Plan amendments or 2) continue the item to the January 15, 2025, Planning Commission meeting.

Director Herlihy and Planning Consultant Ben Noble presented the staff report.

Public Comment:

- ***Rafas Sonnefeld***
- ***Jamas Gwilliam***
- ***Brian Shields***

- **Terre Thomas**
- **Keith Cahalen**
- **Cami Corvin**

The Commission discussed the potential amendments to the Zoning Code and General Plan.

Motion to continue Item 6C to a special meeting on January 29, 2025: Vice Chair Christensen

Second: Commissioner Kieu

Voting Yea: 5-0

7. Director's Report

Director Herlihy informed the Commission that the Capitola Library is installing solar panels; the Capitola Avenue Bridge is set to open in January; early registration has opened for the California League of Cities Planning Commission Academy; amendments to the Local Coastal Plan will be presented to the City Council for approval on January 8, 2026.

- 8. Adjournment** – The meeting adjourned at 9:05 PM. The next regularly scheduled meeting of the Planning Commission is on January 15, 2026, at 6:00 PM.

ATTEST:_____

Rosie Wyatt, Deputy City Clerk