

Capitola Planning Commission

Agenda Report



Meeting: December 1, 2022

From: Community Development Department

Address: 2210 Derby Avenue

Permit Number: #22-0264

APN: 034-223-07

Design Permit for first- and second-story additions to an existing single-family residence and Minor Modification for the required parking space dimensions. The project is located within the R-1 (Single-Family Residential) zoning district.

This project is not in the Coastal Zone.

Environmental Determination: Chris Buich

Property Owner: David Mendoza, Filed: 07.14.22

Representative: Categorical Exemption

Applicant Proposal:

The applicant is proposing to construct 780 square feet of first- and second-story additions to a single-family residence at 2210 Derby Avenue in the R-1 (Single-Family Residential) zoning district. The applicant is requesting a Minor Modification for the minimum required parking space width and depth.

Background:

On November 9, 2022, Development and Design Review Staff reviewed the application and provided the applicant with the following direction:

Public Works Representative, Danielle Uharriet: discussed the public works standard conditions of approval as they relate to the building permit.

Building Official, Robin Woodman: had no comments.

Associate Planner, Sean Sesanto: noted that all parking spaces with their dimensions must be shown on the site plan.

Following the meeting, the applicant resubmitted plans that show parking spaces on the site and floor plans.

Development Standards:

The following table outlines the zoning code requirements for development in the R-1 Zoning District. The application complies with all development standards except for parking dimensions. The applicant is seeking a minor modification to the required parking dimensions.

Development Standards				
Building Height				
R-1 Regulation	Existing		Proposed	
25 ft.	11 ft. 5 in.		19 ft. 9 in.	
Floor Area Ratio (FAR)				
	Existing		Proposed	
Lot size	6,007 sq. ft.		6,007 sq. ft.	
Maximum Floor Area Ratio	48% (Max 2,884 sq. ft.)		48% (Max 2,884 sq. ft.)	
First Story Floor Area	1,448 sq. ft.		1,673 sq. ft.	
Second Story Floor Area	N/A		555 sq. ft.	
Total FAR	24% (1,448 sq. ft.)		37% (2,228 sq. ft.)	
Setbacks				
	R-1 regulation		Existing	Proposed
Front Yard 1 st Story	15 ft.		28 ft. ft. 5 in.	28 ft. ft. 5 in.
Front Yard 2 nd Story & Garage	20 ft.		2 nd Story: N/A Garage: 20 ft. 6 in.	2 nd Story: 20 ft. 6 in. Garage: 20 ft. 6 in.
Side Yard 1 st Story	10% lot width	Lot width 60 ft. 6 ft. min.	North: 6 ft. South: 6 ft.	North: 6 ft. South: 6 ft.
Side Yard 2 nd Story	15% of width	Lot width 60 ft. 9 ft. min	N/A	North: 10 ft. South: 33 ft. 9 in.
Rear Yard 1 st Story	20% of parcel depth	Lot depth 100 ft. 20 ft. min.	31 ft. 4 ft.	31 ft. 4 in.
Rear Yard 2 nd Story	20% of parcel depth	Lot depth 100 ft. 20 ft. min.	N/A.	55 ft. 5 in.
Parking				
1,501 – 2,000* sq. ft.: 2 per unit, 1 covered *Floor area of the garage parking spaces are not included in this calculation.	Required		Existing	Proposed
	2 spaces total 1 covered 1 uncovered		3 spaces total 1 covered 2 uncovered	4 spaces total 2 covered 2 uncovered Minor Modification Requested
Underground Utilities: Required with 25% increase in area				Required

Discussion:

The property is located north of Clares Street within the North Forties neighborhood, surrounded by one-story, single-family residences. The lot is developed with an existing one-story, single-family residence.

Design Permit

The project includes a new 225 square-foot first-story addition and a 555 square-foot second-story addition. Second-story massing is located predominantly over the existing garage and kitchen. The existing siding is stucco with stone veneer. The additions are designed to blend with the existing residence, consisting of matching stucco, new gable and valley roof on the upper

addition, and composite shingles. The windows have a vertical emphasis similar to the pattern of the first story.

Minor Modification

Pursuant to CMC §17.76.020(C)(2), if the floor area for a residential use is enlarged by more than ten percent, the full parking requirements must be met. The proposed additions exceed 20 percent of the existing gross floor area, so parking must be brought into compliance. With the proposed addition, two parking spaces are required, one of which must be covered. The existing driveway supports two 10-foot by 20-foot spaces and is in compliance. The applicant is proposing to keep the existing-nonconforming garage space, which measures approximately 18 feet wide by 19 feet and 3 inches deep. Interior parking spaces are required to be a minimum of 10-feet by 20-feet. The Planning Commission may approve a minor modification up to ten percent of the required development standard. The deviation is within ten percent of the required standard space width and depth and is therefore eligible for consideration of a Minor Modification.

Pursuant to §17.136.060, the Planning Commission, on the basis of the evidence submitted at the hearing, may grant a minor modification when it finds:

A. The modification will be compatible with adjacent structures and uses and is consistent with the character of the neighborhood or district where it is located.

Staff Analysis: The proposed parking arrangement is compatible with neighborhood and enables the project to maintain the existing level of parking capacity of four parking spaces, including the two nonconforming covered spaces.

B. The modification will not adversely impact neighboring properties or the community at large.

Staff Analysis: The existing site provides two conforming uncovered spaces and two nonconforming covered garage spaces. Cumulatively, the on-site parking capacity exceeds the required number for the existing and proposed development. The modification will not adversely impact neighboring properties.

C. The modification is necessary due to unique characteristics of the subject property, structure, or use.

Staff Analysis: The existing residence was constructed prior to its incorporation to the City of Capitola under different development standards. The existing garage was designed to provide parking for two vehicles but does not meet the minimum covered space dimensions of 10-feet wide by 20-feet deep. Modification of the existing garage to accommodate the required covered parking dimensions would require demolition of the rear outer wall and the inner side wall.

D. The modification will be consistent with the purpose of the zoning district, the general plan, local coastal program, and any adopted area or neighborhood plan.

Staff Analysis: The proposed parking arrangement exceeds the required number of on-site spaces. The substandard garage space will accommodate most modern vehicles. The substandard garage space will accommodate most modern vehicles and allowing the modification is consistent with the purpose of the zoning district and general plan.

E. The modification will not establish a precedent.

Staff Analysis: The existing residence was built prior to the city's incorporation and under different development standards. The existing parking capacity of four spaces, including the nonconforming garage spaces, exceeds the existing and proposed required number

of parking spaces. The proposed modification has been evaluated on a site- and project-specific basis and will not establish a precedent.

F. The modification will not adversely impact coastal resources.

Staff Analysis: The subject property is outside the Coastal Zone.

Landscaping

There are no proposed tree plantings or removals with the application. The existing landscaping and driveway are to remain, except that the applicant must replace any damaged curb, gutter, or driveway approaches prior to project final.

CEQA:

Section 15301(e)(2) of the CEQA Guidelines exempts additions to existing structures. The project is a negligible expansion in terms of use and is in an area where all public services and facilities are available to allow for the proposed development. The project complies with the General Plan and is not located within an environmentally sensitive area.

Attachments:

1. 2210 Derby Avenue – Plan Set
2. 2210 Derby Avenue – Color and Material Information
3. 2210 Derby Avenue – Minor Modification Application
4. Design Permit Design Review Criteria

Conditions of Approval:

1. The project approval consists of construction of a 780 square-foot first- and second-story additions. The approval includes a minor modification for the required parking dimensions of two garage spaces. The maximum Floor Area Ratio for the 6,007 square foot property is 48% (2,884 square feet). The total FAR of the project is 37% with a total of 2,228 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 1, 2022, 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 to the size or exterior appearance of the structure shall require Planning Commission approval.

6. Prior to issuance of building permit, a landscape plan shall be submitted and approved by the Community Development Department. The landscape plan can be produced by the property owner, landscape professional, or landscape architect. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of any proposed (but not required) irrigation systems.
7. Prior to issuance of a Certificate of Occupancy, the applicant shall complete landscape work. Specifically, required landscape areas shall be finished and free of debris to the satisfaction of the Community Development Director.
8. Prior to issuance of building permit, all Planning fees associated with permit #22-0264 shall be paid in full.
9. Prior to issuance of building permit, the developer shall pay Affordable housing impact fees as required to assure compliance with the City of Capitola Affordable Housing Impact Fee Ordinance.
10. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, City of Santa Cruz Water District, and Central Fire Protection District.
11. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
12. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
13. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
14. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
15. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
16. Prior to a project final, all cracked or broken driveway approaches, 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.

17. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
18. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.156.080.
19. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
20. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
21. Prior to issuance of building permits, the building plans must show that the existing overhead utility lines will be underground to the nearest utility pole.
22. Outdoor lighting shall comply with all relevant standards pursuant to Municipal Code Section 17.96.110, including that all outdoor lighting shall be shielded and directed downward such that the lighting is not directly visible from the public right-of-way or adjoining properties.

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 and the Planning Commission have reviewed the proposed additions to an existing residence. With the granting of a minor modification to the minimum parking dimensions, the project secures the purpose of the General Plan, and Local Coastal Program, and design policies and regulations adopted by the City Council.

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

Community Development Staff and the Planning Commission have reviewed the application for additions to an existing residence. With the granting of a minor modification to the minimum covered parking dimensions, the project complies with all applicable provisions of the zoning code and municipal code.

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

Section 15301(e)(2) of the CEQA Guidelines exempts additions to existing structures that will not result in an increase of more than 10,000 square feet if the project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and the area in which the project is located is not

environmentally sensitive. The project involves 780 square feet of additions to a single-family residence which exceeds 50 percent of the existing structure. The project is a negligible expansion in terms of use and is in an area where all public services and facilities are available to allow for the proposed development. The project complies with the General Plan and is not located within an environmentally sensitive area.

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.

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

The Community Development Staff and the Planning Commission have reviewed the application. With the granting of a minor modification to the covered parking dimensions, the proposed complies with all applicable design review criteria in Section 17.120.070.

F. The proposed project maintains the character, scale, and development pattern of the neighborhood.

Community Development Staff and the Planning Commission have all reviewed the proposed additions. The remodeled design, including matching stucco siding and new stone veneer, and a gable & valley roof, will maintain the character, scale, and development pattern of the neighborhood.

Minor Modification Findings:

A. The modification will be compatible with adjacent structures and uses and is consistent with the character of the neighborhood or district where it is located.

The proposed parking arrangement is compatible with neighborhood and enables the project to maintain the existing level of parking capacity of four parking spaces, including the two nonconforming covered spaces.

B. The modification will not adversely impact neighboring properties or the community at large.

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D. The modification will not adversely impact coastal resources.

The subject property is outside the Coastal Zone.