

Capitola Planning Commission

Agenda Report



Meeting: December 5, 2024
From: Community Development Department
Address: 4750 Jewel Street

Project Description: Application #24-0345. APN: 034-064-03. Design Permit for the demolition of an existing single-family residence and the construction of a new single-family residence. The project is located within the R-1 (Single-Family Residential) 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 #24-0345 and approve the project based on the attached Conditions and Findings for Approval.

Property Owner: Dean Barker
 Representative: Taylor Bode, Filed: 9/13/24

Background: On October 23, 2024, Development and Design Review Staff reviewed the application and provided the applicant with the following direction:

Public Works Representative, Erika Senyk: Provided guidance to the applicant regarding their future building permit submittal.

Building Official, Eric Martin: Inquired about laundry area venting and placement of service meters.

Associate Planner, Sean Sesanto: Discussed the recent comment letter items and noted the project requires existing overhead utilities to be placed underground.

Following the Development and Design Review meeting, the applicant resubmitted plans with corrections and privacy treatments for the upper-story deck and select windows.

Development Standards: The following table outlines the zoning code requirements for development in the R-1 Zoning District.

Development Standards		
Building Height		
R-1 Regulation		Proposed
	25 ft.	22 ft. 6 in.
Floor Area Ratio (FAR)		
		Proposed
Lot size		3,359 sq. ft.
Maximum Floor Area Ratio		56% (Max 1,881 sq. ft.)
First Story Floor Area		1,335 sq. ft.
Second Story Floor Area		546 sq. ft. <i>77 sq. ft. deck area exempt</i>
Total FAR		56% (1,881 sq. ft.)
Setbacks		
	R-1 regulation	Proposed
Front Yard 1st Story	15 ft.	Primary: 17 ft. 2 in.

Front Yard 2nd Story & Garage	20 ft.		Primary: 27 ft. 9 in. Garage: 20 ft. 2 in.
Side Yard 1st Story	10% lot width	Lot width 42 ft. 4 ft. 2 in. min.	East: 4 ft. 5 in. West: 6 ft. 6 in.
Side Yard 2nd Story	15% of width	Lot width 42 ft. 6 ft. 4 in. min	East: 6 ft. 6 in. West: 10 ft.
Rear Yard 1st Story	20% of parcel depth	Lot depth 80 ft. 16 ft. min.	16 ft. 4 in.
Rear Yard 2nd Story			26 ft. 1 in.
Encroachments	Hot tub, sauna comply with Ch. §17.48 for entertainment features		
Parking			
SFD 1,501-2,000 sq. ft.	Required		Proposed
	2 total, 1 covered		2 total, 1 covered
Underground Utilities: Required with 25% increase in area			Required

Discussion: The subject property is located within the Jewel Box neighborhood, surrounded by one- and two-story single-family residences. The existing site includes a 1960's single-story, single-family residence. The structure is not identified as a historic resource.

Design Permit: The proposal demolishes an existing residence to construct a new 1,881 square foot, single-family residence. The project utilizes contemporary design and materials, with light-colored stucco on the ground level, thin vertical redwood boards on the second floor, and tall windows with minimalist frames. The home uses a shallow-framed hip roof with exposed rafter tails and complete standing metal seam finish. The rear upper-story deck is covered by the primary roof giving a recessed appearance.

Design Review Criteria: When considering design permit applications, the city shall evaluate applications to ensure that they satisfy the following criteria, comply with the development standards of the zoning district, conform to policies of the general plan, the local coastal program, any applicable specific plan, and are consistent with any other adopted policies or guidelines. To obtain design permit approval, projects must satisfy these criteria to the extent they apply. Planning staff does not have concerns with respect to the criteria, but notes criteria F (privacy) is applicable for this project and the upper-story deck. The complete list of Design Review Criteria is included as Attachment #2.

F. Privacy. The orientation and location of buildings, entrances, windows, doors, decks, and other building features minimize privacy impacts on adjacent properties and provide adequate privacy for project occupants.

The project has been designed in consideration of surrounding uses and minimizes privacy impacts. The rear upper-story deck includes privacy screening along the adjacent side property line and complies with applicable deck standards. Several windows include opaque treatments for project occupants.

Garage Setback: In addition to a 20-foot front setback, garages must be setback five feet from the front building wall. The applicant is proposing a reduced three-foot setback from the front building wall instead. Pursuant to §17.16.030(B)(4)(a), the Planning Commission may reduce the minimum setback to three feet without any specific findings, provided the project is in a sidewalk-exempt area. The property is exempt from sidewalk requirements; therefore, the Commission can approve a reduction to the standard.

Parking: The primary dwelling includes two parking spaces, including one garage space, which meets parking requirements for the new dwelling. The other parking space is in the driveway.

Trees: The application includes the removal of three existing palm trees. The applicant proposes to plant a 25-gallon strawberry tree (*arbutus marina*). At maturity, the proposed planting will meet the 15% canopy coverage requirement for new construction.

CEQA: §15303(a) of the CEQA Guidelines exempts a single-family residence in a residential zone. The project includes the construction of a new single-family residence. No adverse environmental impacts were discovered during review of the proposed project.

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 project. The proposed single-family residence complies with the development standards of the R-1 (Single-Family Residential) zoning district. 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 the proposed residence. 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 §15303(a) of the CEQA Guidelines exempts a single-family residence and is subject to Section 753.5 of Title 14 of the California Code of Regulations. The project involves the demolition and construction of a single-family. The project is located within the R-1 (Single-Family Residential) zoning district. 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 and the Planning Commission have reviewed the project. The proposed single-family residence will not be detrimental to 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).

The Community Development Staff and the Planning Commission have reviewed the application. The proposed residence 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 application for the new single-family residence. The project balances a mix of contemporary and classic design elements which will maintain the overall character and scale of the neighborhood.

Coastal Development Permit Findings:

A. The project is consistent with the LCP land use plan, and the LCP implementation program.

The proposed development conforms to the City's certified Local Coastal Plan (LCP) land use plan and the LCP implementation program.

B. The project maintains or enhances public views.

The proposed project is located on private property at 4750 Jewel Street. The project will not negatively impact public landmarks and/or public views.

C. The project maintains or enhances vegetation, natural habitats and natural resources.

The site is not located in an area with natural habitats or natural resources. The project will maintain or enhance vegetation, consistent with the allowed use and will not have an effect on natural habitats or natural resources.

D. The project maintains or enhances low-cost public recreational access, including to the beach and ocean.

The residential project will not negatively impact low-cost public recreational access.

E. The project maintains or enhances opportunities for visitors.

The residential project will not negatively impact visitor serving opportunities.

F. The project maintains or enhances coastal resources.

The project will not negatively impact coastal resources.

G. The project, including its design, location, size, and operating characteristics, is consistent with all applicable design plans and/or area plans incorporated into the LCP.

The proposed single-family residence complies with all applicable design criteria, design guidelines, area plans, and development standards. The operating characteristics are consistent with the R-1 (Single-Family Residential) zone.

H. The project is consistent with the LCP goal of encouraging appropriate coastal development and land uses, including coastal priority development and land uses (i.e., visitor serving development and public access and recreation).

The project involves a new single-family residence on a residential lot of record. The project is consistent with the LCP goals for appropriate coastal development and land uses. The use is an allowed use consistent with the R-1 zoning district.

Conditions of Approval:

1. The project approval includes the demolition of an existing residence and the construction of a 1,881 square-foot single-family residence. The maximum Floor Area Ratio for the 3,359 square foot property is 56% (1,881 square feet). The total FAR of the project is 56% with a total of 1,881 square feet. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on December 5, 2024, 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 to reflect the approval of the Planning Commission. Specifically, required landscape areas, all required tree plantings, privacy mitigations, erosion controls, irrigation systems, and any other required measures shall be addressed to the satisfaction of the Community Development Director.
8. Prior to issuance of a Certificate of Occupancy, the applicant shall demonstrate compliance with the tree removal permit authorized by this permit for 3 palm trees to be removed from the property. Replacement tree(s) shall, at maturity, provide 15% canopy coverage as required for new construction. Required replacement trees shall be of the same size, species and planted on the site as shown on the approved plans, unless modified consistent with condition #5.
9. Prior to issuance of building permit, all Planning fees associated with permit #24-0345 shall be paid in full.
10. 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.
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.
12. 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.
13. 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).
14. 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.
15. 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.
16. 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

17. 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.
18. 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.
19. 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.
20. 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.
21. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
22. 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.
23. Prior to demolition of the existing structure, a pest control company shall resolve any pest issue and document that all pest issues have been mitigated. Documentation shall be submitted to the City at time of demolition permit application.
24. 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.
25. Prior to a Building Department final and/or issuance of a Certificate of Occupancy, final inspections by the Planning and Public Works Departments are required.

Attachments:

1. 4750 Jewel Street – Plan Set
2. Design Review Criteria

Report Prepared By: Sean Sesanto, Associate Planner

Reviewed By: Rosie Wyatt, Acting Deputy City Clerk

Approved By: Katie Herlihy, Community Development Director