



420 CAPITOLA AVENUE
CAPITOLA, CALIFORNIA 95010
TELEPHONE (831) 475-7300
FAX (831) 479-8879

ZONING PERMIT

13 November 2007

James and Barbara Reding
P.O. Box 755
Capitola, CA 95010

RE: Notice of Final Action on Application #07-048

201-D MONTEREY AVENUE - PROJECT APPLICATION #07-048
AMENDMENT TO A PREVIOUSLY APPROVED CONDITIONAL USE-PERMIT TO EXPAND A TAKE-OUT DELI/SANDWICH SHOP INTO THE NEIGHBORING SPACE LOCATED IN THE CV (CENTRAL VILLAGE) ZONING DISTRICT. (APN 035-185-06) CATEGORICALLY EXEMPT. FILED 7/20/07

The above matter was presented to the Planning Commission on September 6, 2007 and was **approved**, with the following findings and conditions. Any modifications to the staff report (dated August 29, 2007, previously distributed) are indicated below in ~~strikeout~~ and underline notation. The Planning Commission decision on this project was not appealed to the City Council and the applicable City Council appeal period has now expired.

CONDITIONS

1. The project approval consists of a Conditional Use Permit for a take-out deli to be located at 201-D Monterey Avenue.
2. There shall be no more than six seats provided.
3. No outdoor seating is permitted.
4. Any significant modifications to the size or exterior appearance of the structure must be approved by the Planning Commission. Similarly, any significant change to the use itself, or the site, must be approved by the Planning Commission.
5. The application shall be reviewed by the Planning Commission upon evidence of non-compliance with conditions of approval or applicable municipal code provisions.
6. Business hours will be limited to 7:30AM – 8:30PM.

7. The applicant shall obtain a business license prior to operating the business.

FINDINGS

- A. **The application, subject to the conditions imposed, will secure the purposes of the Zoning Ordinance and General Plan.**

Planning Staff and the Planning Commission have reviewed the project and determined that the proposed business is an allowable use in the CV Zoning District with a Conditional Use Permit. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance, General Plan and Local Coastal Plan.

- B. **The application will maintain the character and integrity of the neighborhood.**

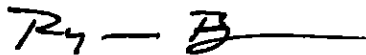
Planning Department Staff and the Planning Commission have reviewed the project and determined that the proposed business will provide a much-needed service to Capitola and will not have a negative impact on the character and integrity of the neighborhood. Conditions of approval have been included to ensure that the project maintains the character and integrity of the area.

- C. **This project is categorically exempt under Section 15301 and 15311(a) of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.**

The proposed project involves leasing of a portion of an existing commercial space with no expansion of use beyond what has currently existed. No adverse environmental impacts were discovered during project review by either the Planning Department Staff or the Planning Commission.

This permit is issued to the owner of the property. In executing this permit, applicant /owner agrees to comply with all terms of permit(s), including conditions of approval, if any. Permit must be exercised within 24 months of date of issuance (September 6, 2009) unless otherwise indicated in conditions of approval. Should you have any questions on this matter, do not hesitate to call.

Sincerely,



Ryan Bane
Senior Planner
Cc: Filiz Erbehtas