

Capitola Planning Commission

Agenda Report



Meeting: August 17, 2023
From: Community Development Department
Address: **206 Hollister Avenue**

Permit Number: #23-0003

APN: 036-125-10

Design Permit to demolish an existing cottage and detached garage and build a new two-story, single-family residence and detached, single-story ADU, 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 appealable to the California Coastal Commission after all possible appeals are exhausted through the City.

Environmental Determination: Categorical Exemption 15303(A) New Construction

Property Owner: Muhamed Causevic

Representative: Muhamed Causevic, Filed: 01.03.2023

Recommended Action: Staff recommends the Planning Commission approve application #23-0003 according to the Conditions and Findings for Approval and deny the request to remove a mature palm tree.

Applicant Proposal: The applicant is proposing to demolish an existing cottage and detached garage to build a new, two-story residence with a single-story detached ADU in the rear yard. The proposal includes a single car garage and one tandem parking space in the driveway. The proposal also includes a request to remove a palm tree near the boundary of the property at 204 Hollister Avenue.

Background: In 2022, the properties at 204 and 206 Hollister were removed from Capitola's 2005 Historic Structures List after an independent consultant concluded that the properties were not eligible to be listed resources.

On August 9, 2023, Development and Design Review Staff reviewed the application and provided the applicant with the following direction:

Public Works Representative, Erika Senyk: Advised the applicant about Public Works conditions of approval and addition drainage and erosion control details that will be required with the Building Permit plans.

Building Inspector, Eric Martin: Advised the applicant that a utility plan will be needed with the plans for Building permit plan check.

Senior Planner, Brian Froelich: Requested that the applicant provide additional front yard landscaping details and information of exterior color and materials.

The applicant agreed to provide additional landscaping detail and color and material information, prior to the Planning Commission meeting.

Development Standards: The following table outlines the development standards in the R-1 Zoning District.

Development Standards		
Building Height		
R-1 Regulation	Existing	Proposed
25 ft.	Proposed for demolition	24 ft. (new peak)
Floor Area Ratio (FAR)		
	Existing	Proposed
Lot size	4,000 sq. ft.	No change
Maximum Floor Area Ratio	54% (Max 2,160sq. ft.)	54% (Max 2,160 sq. ft.)
First Story Floor Area	Proposed for demolition	868 sq. ft.
Second Story Floor Area		1,026 sq. ft.
Attached Garage		266 sq. ft.
Total FAR		54% (2,160 sq. ft.)
ADU	N/A	750 sq. ft. (exempt)
Setbacks		
	R-1 regulation	Proposed
Front Yard 1 st Story	15 ft.	15 ft.
Front Yard 2 nd Story	20 ft.	20 ft. 11 in.
Side Yard 1 st Story South	10% lot width Lot width 40 ft. 4 ft. min.	4 ft.
Side Yard 2 nd Story South	15% of width Lot width 40 ft. 6 ft. min	6 ft.*
Side Yard 1 st Story North	10% lot width Lot width 40 ft. 4 ft. min.	4 ft.
Side Yard 2 nd Story North	15% of width Lot width 40 ft. 6 ft. min	6 ft.*
Rear Yard	20% of depth Lot depth 100 ft. 20 ft. min	35 ft.
Side Yards ADU	4 ft.	4 ft.
Rear Yard ADU	4 ft.	4 ft.
Encroachments	None	
Parking		
Residential (1,501 – 2,000 sf.) Limited Standards ADU exempt from parking.	Required	Proposed
	2 spaces total 1 covered 1 uncovered (tandem)	2 spaces total 1 covered 1 uncovered
Underground Utilities: Required with 25% increase in area		Required

*Design utilizes 17.16-3 Second Floor Setback Exception for 20% of upper walls can align with first floor walls at first floor setback.

Discussion: The existing property is a mid-block lot between Escalona Drive and El Salto Drive within the Depot Hill neighborhood, surrounded by one- and two-story single-family residences. The lot consists of an 800 square foot cottage and a 330 square foot detached garage proposed for demolition. The existing cottage was constructed around 1927 and was designated as a potentially historic structure in the 2005 Historic Structures List. In 2022, the prior owner applied to remove the potentially historic designation of the property pursuant to §17.84.040. City staff hired a consultant to evaluate the property. The consultant concluded that the property and structures were not eligible for listing as local or state historic resources (Attachment #2 – DPR).

Design Permit: The new home is proposed with a covered entryway and garage that faces the street. The design includes slate clad columns at the entry, a metal seam roof, and stucco siding. The ADU uses similar features of stucco siding and metal seam roof.

The applicant has addressed privacy from the second floor by use of several clerestory windows and opaque windows where the building wall is at the setback line.

The proposed primary residence and garage utilizes 100% of the property's allowable floor area ratio (FAR). ADUs are allowed to exceed the maximum FAR for a property if they are under 16 feet tall, have four-foot side and rear setbacks, and do not exceed 800 square feet. The proposed ADU meets these requirements and is allowed to exceed the maximum FAR for the property per section 17.74.040(H).

Parking: The proposed habitable portion of the primary residence is 1,896 square feet and therefore must provide two on-site parking spaces, one of which must be covered. The proposal includes two full-size parking spaces: one tandem space in the driveway and one in the single car detached garage. The proposed ADU is a "Limited Standards ADU" per section 17.74.050 and does not require parking in addition to the primary residence.

Tree Removals: The existing landscape includes two mature palm trees and a turf lawn. The applicant proposes to remove one mature palm tree, estimated to be 30-feet tall or greater. This tree appears to be in the middle of what was a shared courtyard area but is now at the property line with 204 Hollister Avenue since the properties were subdivided in 2012. The proposed development does not appear to be impacted or limited by the tree. The Planning Commission has full discretion to allow or disallow tree removal when evaluating development projects per section 12.12.160. Planning staff is recommending that the tree removal not be approved as part of the project. The tree is not a limiting factor and appears to be healthy.

The applicant is proposing to plant two wax myrtle trees in the front yard. Pursuant to Section 12.12.180(C), the project must propose plantings that will secure the goal of fifteen percent canopy coverage. The wax myrtle trees, at maturity, would achieve the goal of 15%. The applicant has not submitted a full landscape plan for the front yard as required for new single-family residential projects pursuant to §17.72.020(B)(1). Condition #6 requires a fully developed landscape plan with irrigation prior to issuance of Building Permits.

Underground Utilities: The new home is required to underground their utilities per Section 17.96.120. Condition #22 has been included to ensure this requirement is enforced.

CEQA: §15303(a) of the CEQA Guidelines exempts one single-family residence and accessory structures in a residential zone. No adverse environmental impacts were discovered during the review of the proposed project.

Attachments:

1. 206 Hollister Avenue – Plan Set
2. 204-206 Hollister Avenue – DPR – Michael Baker International

Conditions of Approval:

1. The project approval consists of the demolition of an existing cottage and garage and the construction of a 2,160 square-foot single-family residence and 750 square-foot detached ADU. The maximum Floor Area Ratio for the 4,000 square foot property is 54% (2,160 square feet). The mature palm tree proposed for removal must remain, except as allowed pursuant to Section 12.12.180 for the removal of non-heritage trees. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on August 17, 2023, and 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 the 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 detailed 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 building permit, all Planning fees associated with permit #23-0003 shall be paid in full.
9. Prior to issuance of a 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, Soquel Creek Water District, and Central Fire Protection District.
11. Prior to issuance of a building permit, the applicant shall submit a Minor Revocable Encroachment Permit for any landscaping or paving in the right-of-way. The revocable encroachment agreement shall be completed prior to project final.
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 and incorporated into the submittals for Building Permit plan check.
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. Applicant shall notify the Public Works Department 24 hours in advance of the commencement of work. A pre-construction inspection must be conducted by the grading official, or appointed staff 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. 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. Building mounted lighting and lighting specifications shall be included with the plans for Building permit plan check.
24. Along with the plans for building permit plan check, the property owner shall submit a site plan showing all square footage of existing and proposed impervious surfaces and existing and proposed square footage of pervious surfaces. The plan should reflect the calculations submitted in the Stormwater Permit Project Application Form.

25. Before obtaining a building permit for an accessory dwelling unit, the property owner shall file with the county recorder a declaration of restrictions containing a reference to the deed under which the property was acquired by the present owner and stating that:
- a. The accessory dwelling unit may not be used for vacation rentals; and
 - b. The accessory dwelling unit shall not be sold separately from the primary dwelling.

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 and ADU complies with the development standards of the R-1 zoning district. The project is consistent with 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 a new single-family residence and ADU. As conditioned 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 one single-family residence and accessory structures in single family zones. This project involves a single-family residence within the Single-Family Residential (R-1) 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 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).
The Community Development Staff and the Planning Commission have reviewed the application. The proposed single-family 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 reviewed the application for the single-family residence and detached ADU. The design of the structures with setback garage, standing metal seam roof, and stucco and stone veneer siding will fit in nicely with the existing neighborhood. The project will maintain the character, scale, and development pattern 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 206 Hollister Avenue. 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 proposed project is located at 206 Hollister Avenue in the Depot Hill neighborhood. The home 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 project involves the construction of a single-family residence and ADU in a developed neighborhood and will not negatively impact low-cost public recreational access.
- E. The project maintains or enhances opportunities for visitors.**
The project involves the construction of a single-family residence and ADU in a developed neighborhood and will not negatively impact visitor serving opportunities.
- F. The project maintains or enhances coastal resources.**
The project involves the construction of a single-family residence and ADU in a developed neighborhood and 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 residential project 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 and ADU 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.

Report Prepared By: Brian Froelich

Reviewed By: Austin Westly, Deputy City Clerk

Approved By: Katie Herlihy, Community Development Director