

Capitola Planning Commission

Agenda Report



Meeting: August 8, 2024

From: Community Development Department

Address: 1760 48th Avenue

Project Description: Permit #23-0497 Design Permit and Coastal Development Permit for the demolition of an existing residence and construction of a new single-story residence with an attached garage located within the R-1 (Single-Family Residential) zoning district.

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

Recommended Action: Staff recommends the Planning Commission approve application #23-0497 based on the following Conditions and Findings of Approval.

Property Owner: Anthony Guin

Representative: Bret Gedryn, filed 03.12.2024

Background: On July 24, 2024, Development and Design Review staff reviewed the application and provided the applicant with the following direction:

Public Works Representative, Erika Senyk: Commented that the applicant should consider another low impact development measure by changing the concrete rear patio to permeable paver.

Building Official, Eric Martin: Asked the applicant to add further detail to the Building Permit drawings for bathroom ventilation and the location of wet utilities.

Senior Planner, Brian Froelich: Asked the applicant to correct a few minor drafting issues with the plans and advised on the steps leading up to the Planning Commission meeting.

Following the Development and Design Review meeting, the applicant corrected the drafting issues, changed the rear patio to a permeable paver, and acknowledged that additional detail will be provided with the plans for Building Permit plan review.

Development Standards: The following table outlines the zoning code requirements for development in the Single-Family Residential Zoning District. The application complies with all measurable development standards of the R-1 zone.

Building Height		
R-1 Regulation	Existing	Proposed
25 ft.	15 ft.	18 ft. 3 in.
Floor Area Ratio (FAR)		
	Existing	Proposed
Lot size	4,008 sq. ft.	4,008 sq. ft.
Maximum Floor Area Ratio	53% (Max 2,124 sq. ft.)	53% (Max 2,124 sq. ft.)
First Story Floor Area	755 sq. ft.	1,781 sq. ft.

Garage	264 sq. ft. (detached)		230 sq. ft.
Total FAR	25.4% (1,019 sq. ft.)		50.4% (2,011 sq. ft.)
Setbacks			
	R-1 regulation		Existing
			Proposed
Front Yard	15 ft.		19 ft. 10in.
Garage Front Yard	20 ft.		44 ft. (detached)
Side Yard	10% lot width	Lot width 40 ft. 4 ft. min.	North: 4 ft. South: 11 ft. 3 in.
Rear Yard	20% of parcel depth	Lot depth 100ft. 20 ft. min.	North: 4 ft. South: 4 ft.
Parking			
1,501-2,000 sq. ft.: 2 per unit 1 covered Total required: 2	Required		Existing
	2 spaces total 1 covered		3 spaces total 1 covered 2 uncovered
Underground Utilities: Required with 25% increase in area			Proposed 2 spaces total 1 covered 1 uncovered
			Yes

Discussion: The property at 1760 48th Avenue is a 4,008 square foot, mid-block rectangular lot within the North Forties neighborhood, surrounded by primarily one and two story single-family and multi-family residences. The lot currently contains a modest cottage style home built in 1948 with a detached garage which are both proposed to be demolished.

Design Permit

The applicant is proposing to construct a new single-story, single-family residence with an attached garage. The application complies with all measurable development standards of the R-1 zone but is required to be reviewed by the Planning Commission for a Design Permit due to being a new single-family home pursuant to table 17.120-1. The architectural design is a modern ranch style with 5:12 roof, and rectangular windows with four-inch trim. Exterior materials include board and batten style concrete siding, composition shingle roof, and a cedar trellis at the rear of the home. The proposed single-family home satisfies all applicable design review criteria per Zoning Code section 17.120.070(A-S), which is included as Attachment 2.

Design Review Criteria: When considering design permit applications, the Planning Commission 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, and any applicable specific plan, and are consistent with any other policies or guidelines the city council may adopt for this purpose. To obtain design permit approval, projects must satisfy these criteria to the extent they apply. Planning staff has prepared specific analysis for the following list of Design Review Criteria that are more directly applicable to the proposed project. The complete list of Design Review Criteria is included as Attachment #2.

- A. Community Character. The overall project design including site plan, height, massing, architectural style, materials, and landscaping contributes to Capitola’s unique coastal village character and distinctive sense of place.

Staff Comment: As a neighborhood, the nearby developments display a variety of architecture and density. The proposed building fits with the mix of architectural styles and does not increase density or introduce an upper floor.

B. Neighborhood Compatibility. The project is designed to respect and complement adjacent properties. The project height, massing, and intensity are compatible with the scale of nearby buildings. The project design incorporates measures to minimize traffic, parking, noise, and odor impacts on nearby residential properties.

Staff Comment: The project's height and massing is minimal and compatible with surrounding buildings. The proposed setbacks are generally reflective of neighboring structures on the sides and rear.

K. Materials. Building facades include a mix of natural, high-quality, and durable materials that are appropriate to the architectural style, enhance building articulation, and are compatible with surrounding development.

Staff Comment: The project designer has used a palette of typical and high quality exterior materials.

Parking

The required parking for the project is two total spaces with one covered. The proposed driveway can accommodate one 10 by 20-foot parking space and the garage can accommodate another equally sized parking space. The proposed uncovered parking area in the driveway is a newly proposed concrete driveway. The proposed parking satisfies the requirement.

Off-site Improvements

Currently, no sidewalk exists along the street frontage of the subject property. The existing sidewalk is also in a state of disrepair. The Public Works Department has conditioned the project to remove and install/reinstall new sidewalk, curb, gutter, and ADA compliant driveway apron improvements to be constructed per city standard.

Landscape and Trees

The proposal includes retaining a large multi-trunk cypress tree in the front yard. The existing hedge at the front property line will be removed and the front yard landscaped with artificial grass, concrete entry walkway, and ornamental drought tolerant plantings between the building and artificial grass. The proposed tree canopy coverage will exceed 30% of the lot area at maturity where 15% is required pursuant to 12.12.180(D).

CEQA: Section 15303 of the CEQA Guidelines exempts the construction of a single-family residence and accessory structures in a residential zone. This project involves demolition of an existing single-family residence and construction of a new single-family residence within the R-1 (single-family residence) Zoning District. 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, the Development and Design Review Committee, and the Planning Commission have all reviewed the project. The proposed new residence is consistent with the general plan and the local coastal program.

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

Community Development Staff, the Development and Design Review Committee, and the Planning Commission have all reviewed the project. The proposed new residence complies with all measurable development standards of the R-1 (Single-Family Residential) zoning district.

C. 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 a single-family residence and accessory structures in a residential zone. This project involves demolition and reconstruction of a single family residence and typical accessory structures. 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, the Development and Design Review Committee, and the Planning Commission have all reviewed the project. The proposed new 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).

Community Development Staff, the Development and Design Review Committee, and the Planning Commission have all reviewed the project. The proposed new residence complies with the applicable design review criteria as described in the staff report and through conditions of approval.

F. For projects in residential neighborhoods, the proposed project maintains the character, scale, and development pattern of the neighborhood.

Community Development Staff, the Development and Design Review Committee, and the Planning Commission have all reviewed the application for the proposed new residence. The modern ranch style of the residence with 5:12 roofs is common for remodels and new homes throughout the city. The single story nature of the project allows it to blend appropriately with the existing neighborhood. The project will maintain the character, scale, and development pattern of the neighborhood.

Coastal 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 1760 48th 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 1760 48th Avenue. The project proposes a landscape plan that will enhance and revitalize vegetation on the property.

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

The project involves the demolition and replacement of an existing residence, which will not negatively impact low-cost public recreational access.

E. The project maintains or enhances opportunities for visitors.

The project involves the demolition and replacement of an existing residence, which will not negatively impact visitor serving opportunities.

F. The project maintains or enhances coastal resources.

The project involves the demolition and replacement of an existing residence and a garage, which will not negatively impact coastal resources. There are no coastal resources in the immediate area of the subject property.

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 the demolition and replacement of an existing 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:

General

1. 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 on August 8, 2024. All construction and site improvements shall be completed according to the approved plans.
2. 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.
3. Construction activity shall be subject to a 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

Planning

4. The project approval consists of construction of a 2,011 primary residence including an attached single car garage. The maximum Floor Area Ratio for the 4,008 square-foot property is 53% (2,124 square feet). The FAR of the project is 50.4% with a total of 2,011 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 August 8, 2024, except as modified through conditions of approval or as required by the Planning Commission during the hearing.
5. 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.
6. 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 17.156.080.

7. 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.
8. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
9. 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.
10. Prior to issuance of building permit, all Planning fees associated with permit #-23-0497 shall be paid in full.
11. Prior to issuance of a building permit, the city may require plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Creek Water District, and Central Fire Protection District.
12. Exterior lights shall comply with CMC Section 17.96.110 and be limited to the Building Code required minimum. Fixtures shall be shielded and directed downward to meet the International Dark Sky Association's (IDA) requirements for reducing waste of ambient light and prevent light trespass on adjacent lots. Exterior lighting shall be shown and specified on the plans for Building Permit plan check.
13. The applicant shall complete installation of the front yard landscaping, prior to final inspection.
14. Prior to issuance of building permits, the building permit plans must show that the existing overhead utility lines will be underground to the nearest utility pole.

Public Works

15. Submit a site drainage and grading plan including the following:
 - a. Drainage plan including the location of all existing and proposed downspouts and indicate direction of flow. Incorporate a runoff reduction measure into the site plan (e.g., disperse runoff to vegetated area, pervious paving, install a rain barrel).
 - b. Notation that site runoff shall not drain onto adjacent parcels.
 - c. Notation that plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
16. Complete and submit the attached Storm Water and Low Impact Development Assessment Checklist. Clearly mark all LID design measures on the site plans.
17. On a plan sheet, show total square footage of pre-project (existing) and post-project (new or replaced) impervious and pervious surfaces,
18. Submit a site plan that includes stormwater temporary construction sediment and erosion control measures (e.g., access to construction site, equipment and material storage locations and duration of placement, stockpile protection location and detail, wattle locations and detail, inlet protection detail, containment of trash/debris, location of portable toilet and containment/protection, etc.). The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
19. Public Works Standard Detail BMP STRM (Stormwater Pollution Prevention and Protection for Construction Projects) shall be printed in full and incorporated as a sheet in the construction plans

with the date and signature. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.

20. 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. All BMPs, sediment and erosion control measures shall be installed prior to the start of construction and shall be maintained throughout project duration.
21. 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.
22. Prior to project final, the applicant shall install new curb, gutter, and sidewalk along the property frontage to city standard or replace all cracked or broken driveway approaches, curb, gutter, or sidewalks 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.

Attachments:

1. 1760 48TH Avenue – Plan Set
2. Design Permit Review Criteria

Report Prepared By: Brian Froelich, Senior Planner

Reviewed By: Austin Westly, Deputy City Clerk (Enter additional names here)

Approved By: Katie Herlihy, Community Development Director