

# City of Capitola

## Planning Commission Meeting Minutes

### Thursday, January 15, 2026 – 6:00 PM



City Council Chambers

420 Capitola Avenue, Capitola, CA 95010

**Chairperson:** Courtney Christiansen

**Vice Chair:** Nathan Kieu

**Commissioners:** Paul Estey, Matthew Howard, TJ Welch

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1. **Roll Call and Pledge of Allegiance** - *The meeting was called to order at 6:00 PM. In attendance: Commissioners Howard, Kieu, Welch, and Vice Chair Christiansen. Absent: Chair Estey.*

2. **Additions and Deletions to the Agenda** – *The Deputy City Clerk announced that one staff memorandum and one email had been received as additional materials for Item 6B.*

3. **New Business**

A. Nomination and Appointment of Chair and Vice Chair

***Motion to appoint Courtney Christiansen as Chair and Nathan Kieu as Vice Chair:***  
***Commissioner Welch***

***Second: Commissioner Howard***

***Voting Yea: Commissioners Howard, Kieu, Welch, Christiansen***

***Absent: Commissioner Estey***

4. **Oral Communications**

- Goran Klepic
- Tiffany Hsu

5. **Planning Commission/Staff Comments** - *None*

6. **Consent Calendar**

A. **Approval of December 4, 2025, Planning Commission Minutes**

B. **620 Monterey Avenue, New Brighton Middle School**

Project Description: Application #25-0578. APN: 036-101-38, 035-151-19. Coastal Development Permit for field improvements to New Brighton Middle School, including an electronic scoreboard, and perimeter fencing. The project is located within the CF (Community Facility) zoning district. The Coastal Development Permit is not appealable to the California Coastal Commission. Environmental Determination: Categorical Exemption

**Recommended Action:** Consider application #25-0578 and approve the project based on the Findings and Conditions of Approval.

***Commissioner Welch requested that Item 6B be pulled for discussion.***

***Motion to approve Item 6A: Commissioner Welch***

***Second: Vice Chair Kieu***

***Voting Yea: Commissioners Howard, Welch, Kieu, Chair Christiansen***

***Absent: Commissioner Estey***

## 7. Public Hearings

### A. 1855 41st Avenue Ste. F02

Project Description: Application #25-0540. APN: 034-261-37. Conditional Use Permit for the sale and onsite consumption of beer and wine for a proposed restaurant to be located at the Capitola Mall within the C-R (Regional Commercial) zoning district. This project is not within the Coastal Zone. Environmental Determination: Categorical Exemption

**Recommended Action:** Consider Application #25-0540 and approve the project based on the Findings and Conditions of Approval.

**Associate Planner Sesanto presented the staff report.**

**The applicant addressed the Commission.**

**Public Comment: None**

**Motion to approve Application #25-0540 based on the Findings and Conditions of Approval: Vice Chair Kieu**

**Second: Commissioner Howard**

**Voting Yea: Commissioners Howard, Welch, Kieu, Chair Christiansen**

**Absent: Commissioner Estey**

#### **Conditional Use Permit Findings:**

##### **A. The proposed use is allowed in the applicable zoning district.**

The general sale of alcoholic beverages for onsite consumption is categorized as a conditional use within the C-R zoning district. The Community Development Department and Planning Commission have determined that alcoholic beverage consumption in conjunction with a restaurant use would be appropriate at the subject site with the issuance of the CUP. The sale of alcohol is accessory to the restaurant and will occur only when a complete restaurant menu is available.

##### **B. The proposed use is consistent with the general plan, local coastal program, zoning code, and any applicable specific plan or area plan adopted by the city council.**

The proposed use is consistent with the goals, policies, and standards established by the City, and permitting the restaurant to serve alcohol in conjunction with meals allows the establishment to be competitive with other restaurants that are already permitted to sell alcoholic beverages.

##### **C. The location, size, design, and operating characteristics of the proposed use will be compatible with the existing and planned land uses in the vicinity of the property.**

The request to serve alcohol with food at the restaurant is not anticipated to have an adverse impact on surrounding land uses or create a special problem, because the project site is located within the Capitola Mall, which has a mix of restaurant and retail uses. The sale of alcohol would be accessory to the primary function of the restaurant. The proposed use is consistent with the existing and planned uses in the Capitola Mall.

##### **D. The proposed use will not be detrimental to the public health, safety, and welfare.**

The proposed business is in police responsibility area 4401 and U.S. census tract number 1217.02. The site is in a high crime area, and the census tract is over-concentrated (17 on-sale licenses) with off-sale alcohol outlets. Consideration was given to the over-concentration of on-sale licenses and crime rate in the area, and it was determined by the Capitola Police Department that the proposed CUP would not create a nuisance to the community or a burden on police services.

**E. The proposed use is properly located within the city and adequately served by existing or planned services and infrastructure.**

The restaurant is existing and is adequately served by utilities, services, and infrastructure. The CUP for general sale of alcoholic beverages for onsite consumption will not require additional services or infrastructure.

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

The proposed project is categorically exempt from the provisions of CEQA pursuant to Section 15301 (Class 1-Existing Facilities) because the project consists of the operation and licensing of a restaurant in an existing commercial building, consistent with the property's zoning and General Plan designation. No adverse environmental impacts were discovered during project review.

**Conditions of Approval:**

1. The Conditional Use Permit allows a beer and wine establishment with on-site consumption at 1855 41st Avenue, Suite F02. The Conditional Use Permit is approved as outlined in the analysis of the staff report reviewed and approved by the Planning Commission on January 15, 2026, except as modified through conditions imposed by the Planning Commission during the hearing.
2. The applicant shall maintain an active business license with the City of Capitola. The applicant shall maintain an active license through the California Department of Alcoholic Beverage Control (ABC) so long as alcohol is sold.
3. Prior to opening, all Planning fees associated with permit #25-0540 shall be paid in full.
4. 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.
5. 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 Capitola Municipal Code Chapter 17.156.
6. Conditional Use Permits are issued to the underlying property. An approved Conditional Use Permit may be assigned to future tenants of the same tenant space. The Conditional Use Permit shall expire and become void if the permitted use is abandoned or discontinued for one year or longer. The permit cannot be transferred off the site on which the approval was granted.

**6. Consent Items Pulled for Discussion**

**B. 620 Monterey Avenue, New Brighton Middle School**

Project Description: Application #25-0578. APN: 036-101-38, 035-151-19. Coastal Development Permit for field improvements to New Brighton Middle School, including an electronic scoreboard and perimeter fencing. The project is located within the CF (Community Facility) zoning district. The Coastal Development Permit is not appealable to the California Coastal Commission. Environmental Determination: Categorical Exemption

**Recommended Action:** Consider application #25-0578 and approve the project based on the Findings and Conditions of Approval.

**Associate Planner Sesanto presented the staff report.**

**Public Comment:**

- Lin Hsu

**Motion to approve Application #25-0578 based on the Findings and Conditions of**

**Approval: Commissioner Welch**

**Second: Vice Chair Kieu**

**Voting Yea: Commissioners Howard, Welch, Kieu, Chair Christiansen**

**Absent: Commissioner Estey**

**Coastal Development Permit Findings:**

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

The project improves facilities serving the existing public-school use. Public and private schools are specifically identified as permitted uses within the CF (Community Facility) zoning district. The proposed development is consistent with 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 an existing public school property at 620 Monterey Avenue. The project improves the quality of the school's open space and athletic amenities. There is no impact on public views.

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

The proposed project is located at New Brighton Middle School. The project is not located in an area with natural habitats. 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 field upgrades to a school and will improve low-cost public recreational access.

**E. The project maintains or enhances opportunities for visitors.**

The project involves a public school within the CF (Community Facility), involving enhancements to the existing open space for school use, which will not negatively impact visitor serving opportunities.

**F. The project maintains or enhances coastal resources.**

The project involves a school within the CF (Community Facility) zone, involving enhancements to the existing open space for school use, which 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 public-school facilities project complies with all applicable design criteria, design guidelines, area plans, and development standards. The operating characteristics are consistent with the CF (Community Facility) 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 school within the CF (Community Facility) zone, involving enhancements to the existing open space for school use. The project is consistent with the LCP goals for appropriate coastal development and land uses. The use is an allowed use consistent with the CF zoning district.

**California Environmental Quality Act (CEQA) Findings:**

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

Section 15314 of the CEQA Guidelines exempts minor additions to existing schools within existing school grounds where the addition does not increase original student capacity by more than 25% or ten classrooms, whichever is less. The proposed project involves upgrades to existing school grounds that will not result in the addition of student capacity within the CF (Community Facility) zoning district. No adverse environmental impacts were discovered during review of the proposed project.

The Project is further exempt from CEQA pursuant to CEQA Guidelines section 15303 (New Construction or Conversion of Small Structures), which consists of the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. These include accessory (appurtenant) structures such as garages, carports, patios, swimming pools, and fences. The proposed scoreboard and fencing constitute small structures appurtenant to the main school building, and are therefore exempt.

Further, none of the exceptions listed in CEQA Guidelines section 15300.2 apply. There are no successive projects of the same type in the same place resulting in cumulative impacts, as the 2024 project dealt with a land swap which also had no impacts. There are no significant effects due to unusual circumstances, as the project is typical for a school conducting updates to its facilities. The project will not result in damage to scenic resources, or within a highway officially designated as a state scenic highway. The project does not involve a hazardous waste site or historical resource.

**Conditions of Approval:**

1. The project approval consists of a Coastal Development Permit to replace an existing grass field with a track and turf field, volleyball courts, digital scoreboard, bleachers, student security fencing, perimeter landscaping, the demolition of two portable buildings and ADA improvements. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on January 15, 2026, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community and Economic Development Department. Any significant changes to the plans may require Planning Commission approval.

**8. Director's Report**

*Director Herlihy updated the Commission on the Capitola Wharf Long-Term Use Plan; provided an update on the improvements at the Jade Street Complex; provided an update on the Capitola Avenue overpass; and notified the Commission that the Capitola Mall Zoning Code amendments will be on the February 5, 2026, agenda.*

**9. Adjournment –** *The meeting adjourned at 6:32 PM. The next regularly scheduled meeting of the Planning Commission is on February 5, 2026, at 6:00 PM.*

ATTEST:\_\_\_\_\_

Rosie Wyatt, Deputy City Clerk