

City of Capitola

Planning Commission Meeting Minutes

Thursday, May 05, 2022 – 7:00 PM



City Council Chambers
420 Capitola Avenue, Capitola, CA 95010

Chairperson: Peter Wilk

Commissioners: Courtney Christiansen, Ed Newman, Mick Routh, Susan Westman

Please review the Notice of Remote Access for instructions on participating in the meeting remotely. The Notice of Remote Access is at the end of the agenda.

All correspondences received prior to 5:00 p.m. on the Wednesday preceding a Planning Commission Meeting will be distributed to Commissioners to review prior to the meeting. Information submitted after 5 p.m. on that Wednesday may not have time to reach Commissioners, nor be read by them prior to consideration of an item.

All matters listed on the Regular Meeting of the Capitola Planning Commission Agenda shall be considered as Public Hearings.

1. Roll Call and Pledge of Allegiance

Commissioners Mick Routh, Courtney Christiansen, Ed Newman, Susan Westman, Peter Wilk

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PRESENT

Chair Peter Wilk

Vice Chair Susan Westman

Commissioner Courtney Christiansen

Commissioner Ed Newman

Commissioner Mick Routh

2. Oral Communications

None presented

A. Additions and Deletions to the Agenda

None presented

B. Public Comments

Please review the Notice of Remote Access for instructions. Short communications from the public concerning matters not on the Agenda. All speakers are requested to print their name on the sign-in sheet located at the podium so that their name may be accurately recorded in the Minutes. Members of the public may speak for up to three minutes, unless otherwise specified by the Chair. Individuals may not speak more than once during Oral Communications. All speakers must address the entire legislative body and will not be permitted to engage in dialogue.

None presented.

C. Commission Comments

None presented.

Chair Wilk commented on process. Expressed sympathy to those who endured bureaucratic nightmare. My experience drove me to ----; process got better over the years.

D. Staff Comments

Dir Herlihy said we received an appeal on 1410 Prospect Avenue. No date set yet. We had appeal from RTC also. Update in summer

3. Approval of Minutes

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Motion made by Vice Chair Westman, Seconded by Commissioner Christiansen.
Voting Yea: Chair Wilk, Vice Chair Westman, Commissioner Newman, Commissioner Routh

PRESENT

Chair Peter Wilk

Vice Chair Susan Westman

Commissioner Courtney Christiansen

Commissioner Ed Newman

Commissioner Mick Routh

A. Approve March 3, 2022, Regular Planning Commission Meeting Minutes

No comments

B. Approve March 31, 2022, Special Planning Commission Meeting Minutes

Chair Wilk commented on sacrificing on setback. Brian responded that the Minutes are edited and/or amended

4. Consent Calendar

All matters listed under "Consent Calendar" are considered by the Planning Commission to be routine and will be enacted by one motion in the form listed below. There will be no separate discussion on these items prior to the time the Planning Commission votes on the action unless members of the public or the Planning Commission request specific items to be discussed for separate review. Items pulled for separate discussion will be considered in the order listed on the Agenda.

Commissioner Westman request taking the items separately; she needs to recuse

A. 504 Oak Drive

Permit Number: #22-0142

APN: 035-09-325

Design Permit for an upper floor deck, landing, and spiral stairway in the rear yard of an existing nonconforming single-family residence located within the R-1 (Single-Family Residential) zoning district.

Environmental Determination: Categorical Exemption

Property Owner: Lori Mahan

Representative: Dennis Norton, Filed: 03.23.2022

Items taken separately

PRESENT

Chair Peter Wilk

Vice Chair Susan Westman

Commissioner Courtney Christiansen

Commissioner Ed Newman

Commissioner Mick Routh

PRESENT

Chair Peter Wilk

Vice Chair Susan Westman

Commissioner Courtney Christiansen

Commissioner Ed Newman

Commissioner Mick Routh

B. 1515 Prospect Avenue

Permit Number: #22-0094

APN: 034-045-12

Design Permit amendment for additions and design modifications to a single-family dwelling with an ADU located within the R-1 (Single-Family Residential) zoning district. This project is within the Coastal Zone but does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption

Property Owner: Peter Shamshoian

Representative: Peter Shamshoian, Filed: 02.16.22

5. Public Hearings

Public Hearings are intended to provide an opportunity for public discussion of each item listed as a Public Hearing. The following procedure is as follows: 1) Staff Presentation; 2) Planning Commission Questions; 3) Public Comment; 4) Planning Commission Deliberation; and 5) Decision.

A. 519 Monterey Avenue

Permit Number: #22-0032

APN: 034-022-03

Design Permit for a 140 square foot stacked addition to the ground and upper floors, upper floor decks off the front and rear of the residence, and an interior remodel in the R-1 (Single-Family Residential) zoning district.

This project is in the Coastal Zone but does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption

Property Owner: Boguslaw J. Marcinkowski

Representative: John Hofacre, Filed: 01.20.2022

Staff Brian Froelich presented the report.

Recommended action: Approve project #022-0032 based on conditions of approval and findings.

Commission feedback:

Ch Wilk: ques on why staff feels ----

Brian: responds.

Public comments:

Applicant Boguslaw Macinkowski commented; expressed gratitude.

2. Elizabeth Betrand, (neighbor) stated that she's fine with the second storey next to them. Ask PC to --- . Having a smaller sized porch will indicate its a quite place.

3. Architect John Hofacre commented and hope it will be clarified.

Commission feedback cont'd: Commissioner Newman stated his confusion with the project's setback.

Applicant Macinkowski responded and addressed concerns.

Commission feedback cont'd:

Commissioner Routh: questions on 6ft opaque wall, and if the deck affords privacy.

Commissioner Westman: 7ft deck is more appropriate

Commissioner Newman: concerned with how far we should go, and with staff

Commissioner CC: concurs; makes mtn to approve w/ with application originally submitted. ie condi 13+

Routh: added condition that both sides is ---

Motion made by Commissioner Christiansen, Seconded by Commissioner Routh.

Voting Yea: Chair Wilk, Commissioner Christiansen, Commissioner Newman, Commissioner Routh

Voting Nay: Vice Chair Westman

PRESENT

Chair Peter Wilk

Vice Chair Susan Westman

Commissioner Courtney Christiansen

Commissioner Ed Newman

Commissioner Mick Routh

B. 106 Cliff Avenue

Permit Number: #21-0404

APN: 036-112-17

Design Permit and Historical Alteration Permit for additions to a historic single-family residence, a new detached single-story accessory structure that includes an accessory dwelling unit (ADU) and garage, and Variances for the maximum height of the primary structure and the maximum Floor Area calculation. The permit includes the demolition

of two non-historic accessory structures behind the primary 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 appealable to the California Coastal Commission after all possible appeals are exhausted through the City.

Environmental Determination: Categorical Exemption

Property Owner: Sam Abbey

Representative: Cove Britton, Filed: 09.07.21

Associate Staff Sean Sesanto presented the report.

Recommended Action: approve the project with conditions of approval and findings

Commissioner Wilk: ques on

Commissioner Routh: ques

Public comment:

Architect representing the applicant Sam Abbey stated that he supports staff report.

2. John Gleaner: stated he sent a letter to the Commission; concerned about second floor bedroom deck. Also driveway on the southside will be a buffer for neighbor

Commission feedback:

Commissioner Westman: no problem w d variance/height. 2. Willing to approve all variants requests.

Commissioner Newman: 1. No problem with the variants. 2. Supports staff recommendation

Commissioner CC: supports the variance height.

Commissioner Routh: concurs:

Ch Wilk: concurs.

Outcome: All Commissioners appear to be in support of the project.

Commissioner CC: approve all staff recmdtn; incl chimney heightsds

Motion made by Commissioner Christiansen.

Voting Yea: Chair Wilk, Vice Chair Westman, Commissioner Christiansen, Commissioner Routh

Voting Nay: Commissioner Newman

PRESENT

Chair Peter Wilk

Vice Chair Susan Westman

Commissioner Courtney Christiansen

Commissioner Ed Newman

Commissioner Mick Routh

6. Director's Report

Dir Herlihy provided update on outdoor dining and reported that city council reviewed it. Maintenance will be required.

7. Commission Communications

Commissioner Newman inquired on status of the compliance of vacation rent tax. Dir Herlihy responded with update, including the hiring of Consultant HDL.

8. Adjournment

8:20PM

Notice of Remote Access

In accordance with California Senate Bill 361, the Planning Commission meeting is not physically open to the public and in person attendance cannot be accommodated.

Watch:

- Online: <https://www.cityofcapitola.org/meetings> or <https://www.youtube.com/channel/UCJgSsB5qqoS7CcD8lq9Yw1g/videos>
- Spectrum Cable Television channel 8

Join Zoom by Computer or by Phone:

Click this Meeting link: PASTE LINK HERE

Or Call one of the following Phone Numbers: - **1 (669) 900 6833 OR 1 (408) 638 0968 OR- 1 (346) 248 7799**

Meeting ID: PASTE ID HERE

Meeting Passcode: PASTE PASSCODE HERE

To participate remotely and make public comment:

- Send email:

- As always, send additional materials to the Planning Commission via planningcommission@ci.capitola.ca.us by 5 p.m. the Wednesday before the meeting and they will be distributed to agenda recipients.
- During the meeting, send comments via email to publiccomment@ci.capitola.ca.us
- Identify the item you wish to comment on in your email's subject line.
- Emailed comments will be accepted during the Public Comments meeting item and for General Government / Public Hearing items.
- Emailed comments on each General Government/ Public Hearing item will be accepted after the start of the meeting until the Chairman announces that public comment for that item is closed.
- Emailed comments should be a maximum of 450 words, which corresponds to approximately 3 minutes of speaking time.
- Each emailed comment will be read aloud for up to three minutes and/or displayed on a screen.

- Emails received by publiccomment@ci.capitola.ca.us outside of the comment period outlined above will not be included in the record.

- Zoom Meeting (Via Computer or Phone):

If using computer: Use participant option to “raise hand” during the public comment period for the item you wish to speak on. Once unmuted, you will have up to 3 minutes to speak

If called in over the phone: Press *6 on your phone to “raise your hand” when the Chairman calls for public comment. It will be your turn to speak when the Chairman unmutes you. You will hear an announcement that you have been unmuted. The timer will then be set to 3 minutes.

Appeals: The following decisions of the Planning Commission can be appealed to the City Council within the (10) calendar days following the date of the Commission action: Conditional Use Permit, Variance, and Coastal Permit. The decision of the Planning Commission pertaining to an Architectural and Site Review Design Permit can be appealed to the City Council within the (10) working days following the date of the Commission action. If the tenth day falls on a weekend or holiday, the appeal period is extended to the next business day.

All appeals must be in writing, setting forth the nature of the action and the basis upon which the action is considered to be in error, and addressed to the City Council in care of the City Clerk. An appeal must be accompanied by a five hundred dollar (\$500) filing fee, unless the item involves a Coastal Permit that is appealable to the Coastal Commission, in which case there is no fee. If you challenge a decision of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this agenda, or in written correspondence delivered to the City at, or prior to, the public hearing.

Notice regarding Planning Commission meetings: The Planning Commission meets regularly on the 1st Thursday of each month at 7 p.m. in the City Hall Council Chambers located at 420 Capitola Avenue, Capitola.

Agenda and Agenda Packet Materials: The Planning Commission Agenda and complete Agenda Packet are available on the Internet at the City's website: www.cityofcapitola.org. Need more information? Contact the Community Development Department at (831) 475-7300.

Agenda Materials Distributed after Distribution of the Agenda Packet: Materials that are a public record under Government Code § 54957.5(A) and that relate to an agenda item of a regular meeting of the Planning Commission that are distributed to a majority of all the members of the Planning Commission more than 72 hours prior to that meeting shall be available for public inspection at City Hall located at 420 Capitola Avenue, Capitola, during normal business hours.

Americans with Disabilities Act: Disability-related aids or services are available to enable persons with a disability to participate in this meeting consistent with the Federal Americans with Disabilities Act of 1990. Assisted listening devices are available for individuals with hearing impairments at the meeting in the City Council Chambers. Should you require special accommodations to participate in the meeting due to a disability, please contact the Community Development Department at least 24 hours in advance of the meeting at (831) 475-7300. In an effort to accommodate individuals with environmental sensitivities, attendees are requested to refrain from wearing perfumes and other scented products.

Televised Meetings: Planning Commission meetings are cablecast "Live" on Charter Communications Cable TV Channel 8 and are recorded to be replayed on the following Monday and Friday at 1:00 p.m. on Charter Channel 71 and Comcast Channel 25. Meetings can also be viewed from the City's website: www.cityofcapitola.org.