

# City of Capitola

## Planning Commission Meeting Minutes

### Thursday, December 01, 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

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*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.*

#### 1. Roll Call and Pledge of Allegiance

*The meeting was called to order at 7:00 PM. In attendance: Commissioners Routh, Christiansen, Newman, Westman, and Chair Wilk.*

#### 2. Oral Communications

**A. Additions and Deletions to the Agenda –** *Additional materials were distributed for items 6B and 6E.*

**B. Public Comments –** *None*

**C. Commission Comments:**

*Newman: Thanked the Commission and Staff for their efforts during his time on the Planning Commission.*

*Chair Wilk: Thanked outgoing Commissioners for their efforts.*

**D. Staff Comments –** *None*

#### 3. Director's Report – *Update on City Hall tree removal, accepting feedback on the 2023 Meeting Calendar.*

#### 4. Approval of Minutes

A. Approve October 20, 2022, Regular Planning Commission Meeting Minutes

B. Approve November 3, 2022, Regular Planning Commission Meeting Minutes

***Motion to approve the 10/20 and 11/3 minutes: Commissioner Westman***

***Seconded: Routh***

***Voting Yea: Commissioners Routh, Christiansen, Newman, Westman, and Chair Wilk***

#### 5. Consent Calendar

**A. 121 Cabrillo Street**

**Permit Number: #22-0221**

**APN: 036-185-10**

Design Permit and Accessory Dwelling Unit (ADU) for a new single-family residence and attached 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 not appealable to the California Coastal Commission.

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Environmental Determination: Categorical Exemption  
Property Owner: Chris & Lee Heck  
Representative: Kurt Useldinger, Filed: 06.08.22

***Motion to approve the Consent Calendar: Commissioner Newman  
Second: Commissioner Christiansen  
Voting Yea: Commissioners Christiansen, Newman, Routh, Westman, and Chair Wilk***

**6. Public Hearings**

**A. 2210 Derby Avenue**

**Permit Number: #22-0264**

**APN: 034-223-07**

Design Permit for first- and second-story additions to an existing single-family residence and Minor Modification for the required parking space dimensions. The project is located within the R-1 (Single-Family Residential) zoning district.

This project is not in the Coastal Zone.

Environmental Determination: Chris Buich

Property Owner: David Mendoza, Filed: 07.14.22

Representative: Categorical Exemption

***Associate Planner Sean Sesanto presented the staff report.  
Commissioner comments included a discussion of canopy coverage and parking space modifications.***

***Motion to approve the design permit and minor modification to the required parking space dimensions: Commissioner Newman***

***Second: Commissioner Westman***

***Voting Yea: Commissioners Christiansen, Newman, Routh, Westman, and Chair Wilk***

**B. 123 Monterey Avenue**

**Permit Number: 22-0391**

**Location: Sidewalk in front of El Toro Bravo**

Coastal Development Permit, Design Permit, and Major Encroachment Permit for Sidewalk Dining at 123 Monterey Avenue in the Mixed-Use Village zoning district.

Environmental Determination: Categorically Exempt

Property Owner: Delia Rey

Representative: Jon Baron, Business Owner

***City Planner Brian Froelich presented the staff report.  
Commissioner comments included a discussion of the eating surface, rent amount, requirements for sidewalk area, color of umbrellas, and conditions of approval.***

***Motion to approve the Coastal Development Permit, Design Permit, and Major Encroachment Permit for sidewalk dining with the following conditions: 1) umbrellas must not encroach the set boundaries; and 2) umbrella color must be approved by the Community Development Director: Commissioner Routh***

***Second: Commissioner Christiansen***

***Voting Yea: Commissioners Christiansen, Routh, Westman***

***Voting Nay: Chair Wilk and Commissioner Newman***

**C. 111 Capitola Avenue**

**Permit Number: 22-0436**

**Location: 2 parking spaces in front of English Ales**

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Coastal Development Permit, Design Permit, and Major Encroachment Permit for Custom Street Dining Deck for English Ales at 111 Capitola Avenue in the Mixed-Use Village zoning district.  
Environmental Determination: Categorically Exempt  
Property Owner: Karen Blackwell-Harrison  
Representative: Peter Blackwell, Business Owner

***City Planner Brian Froelich presented the staff report.  
Commissioner comments included a discussion of bike racks, parklets, and building colors.***

***Motion to deny the Coastal Development Permit, Design Permit, and Major Encroachment Permit: Commissioner Routh  
Second: Commissioner Westman  
Voting Yea: Commissioners Routh and Westman  
Voting Nay: Commissioner Christiansen  
Abstaining: Commissioner Newman and Chair Wilk***

**D. 311 Capitola Avenue**

**Permit Number: 22-0502**

**Location: 1 Parking Space in front of 311 Capitola Avenue**

Coastal Development Permit, Design Permit, and Major Encroachment Permit for Custom Street Dining Deck for Reef Dog Deli at 311 Capitola Avenue in the Mixed-Use Village zoning district.  
Environmental Determination: Categorically Exempt  
Property Owner: Lawrie & Lawrie  
Representative: Anthony Kresge, Business Owner

***City Planner Brian Froelich presented the staff report.  
Commissioner comments included a discussion about the deck materials, bike parking, and storm drainage.***

***Motion to deny the Coastal Development Permit, Design Permit, and Major Encroachment Permit: Commissioner Westman  
Second: Commissioner Christiansen  
Voting Yea: Commissioners Christiansen, Routh, Westman  
Abstaining: Commissioner Newman and Chair Wilk***

**E. 401 Capitola Avenue**

**Permit Number: #22-0282**

**APN: 035-131-11**

Conditional Use Permit, Parking Variance, and Coastal Development Permit to establish a restaurant that serves beer and wine with no onsite parking in the MU-N (Mixed Use Neighborhood) zoning district.

This project Coastal Development Permit which is appealable to the Coastal Commission.

Environmental Determination: Categorical Exemption 15303

Property Owner: Amy Cheng

Representative: Richard Emigh Filed: 07.06.2022

***City Planner Brian Froelich presented the staff report.***

***Public Comments Received:***

- ***3 letters of opposition***
- ***2 letters of support***
- ***Public speakers in support: 7***

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***Commissioner comments included a discussion of the business plan, parking concerns, following the City's General Plan and guidelines.***

***Motion to deny the Conditional Use Permit, Parking Variance, and Coastal Development Permit: Commissioner Routh***

***Second: Commissioner Christiansen***

***Voting Yea: Commissioners Christiansen, Routh, Westman***

***Abstaining: Commissioner Newman and Chair Wilk***

7. **Commission Communications – None**

8. **Adjournment – Adjourned at 8:55 PM to the next regularly scheduled meeting on January 19, 2023.**

**ATTEST:**

DocuSigned by:

*Julia Moss*

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Julia Moss, City Clerk