## City of Capitola Planning Commission Meeting Agenda Thursday, January 18, 2024 – 6:00 PM

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City Council Chambers

420 Capitola Avenue, Capitola, CA 95010

Chairperson: Susan Westman

**Commissioners:** Courney Christiansen, Paul Estey, Gerry Jensen, Peter Wilk

All correspondence 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

Commissioners Susan Westman, Courtney Christiansen, Paul Estey, Gerry Jensen, Peter Wilk

#### 2. New Business

A. Nomination and Appointment of Chair and Vice Chair

#### 3. Additions and Deletions to the Agenda

A. Additional Materials Item 6B – one site plan

#### 4. Oral Communications

Please review the section How to Provide Comments to the Planning Commission for instructions. Oral Communications allows time for members of the public to address the Planning Commission on any Consent Item on tonight's agenda or on any topic within the jurisdiction of the City that is not on the Public Hearing section of the Agenda. 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.

#### 5. Planning Commission/Staff Comments

#### 6. 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. 605 Escalona Drive

**Project Description:** Permit #23-0374. Design Permit for first- and second-story additions with a Variance to the side yard setback on an existing single-family residence located within the R-1 (Single-Family Residential) zoning district, at APN: 036-142-12. 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.

**Recommended Action:** Consider Permit #23-0374 and either approve the application as proposed or provide direction on reducing the rear massing and continue the application to a future meeting.

#### B. 417 Capitola Avenue

**Project Description:** Permit #23-0330 Design Permit to demolish an existing commercial building (Baash) and construct a new single-family dwelling with a Variance request for the floor area ratio, a Minor Modification request for the maximum driveway width, and exception requests to the rear and side setbacks. The project is located within the MU-N (Mixed Use Neighborhood) zoning district, at APN: 035-131-04. The project is in the Coastal Zone and requires a Coastal Development Permit which is not appealable to the California Coastal Commission.

**Recommended Action:** Consider Permit #23-0330 and either approve the project as proposed or provide direction on recommended revisions to the design and continue the application to a future meeting.

- 7. Director's Report
- 8. Adjournment Adjourn to the next regularly scheduled meeting of the Planning Commission on February 1, 2024, at 6:00 PM.

#### **How to View the Meeting**

Meetings are open to the public for in-person attendance at the Capitola City Council Chambers located at 420 Capitola Avenue, Capitola, California, 95010

#### Other ways to Watch:

Spectrum Cable Television channel 8

City of Capitola, California YouTube Channel:

#### To Join Zoom Application or Call in to Zoom:

Meeting link: https://us02web.zoom.us/j/84412302975?pwd=NmlrdGZRU2tnYXRjeSs5SlZweUlOQT09

Or dial one of these phone numbers: 1 (669) 900 6833, 1 (408) 638 0968, 1 (346) 248 7799

Meeting ID: **844 1230 2975**Meeting Passcode: **161805** 

#### **How to Provide Comments to the Planning Commission**

Members of the public may provide public comments to the Planning Commission in-person during the meeting. If you are unable to attend the meeting in person, please email your comments to and they will be included as a part of the record for that meeting. Emailed comments will be accepted after the start of the meeting until the Chairman announces that public comment for that item is closed.

**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: Design Permit, Conditional Use Permit, Variance, and Coastal Permit. 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 submitted writing on an official city application form, 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 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 Notice regarding Planning Commission meetings**: The Planning Commission meets regularly on the 1st Thursday of each month at 6 p.m. in the City Hall Council Chambers located at 420 Capitola Avenue, Capitola.

Planning Commission Meeting Agenda – January 18, 2024

**Agenda and Agenda Packet Materials**: The Planning Commission Agenda and complete Agenda Packet are available on the Internet at the City's website: <a href="www.cityofcapitola.org/meetings">www.cityofcapitola.org/meetings</a>. 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.

Si desea asistir a esta reunión pública y necesita ayuda - como un intérprete de lenguaje de señas americano, español u otro equipo especial - favor de llamar al Departamento de la Secretaría de la Ciudad al 831-475-7300 al menos tres días antes para que podamos coordinar dicha asistencia especial o envié un correo electrónico a jgautho@ci.capitola.ca.us.

**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: <a href="www.cityofcapitola.org">www.cityofcapitola.org</a>.

# **Capitola Planning Commission Agenda Report**

Meeting: January 18, 2024

From: Community Development Department

Address: 605 Escalona Drive



**Project Description:** Permit #23-0374. Design Permit for first- and second-story additions with a Variance to the side yard setback on an existing single-family residence located within the R-1 (Single-Family Residential) zoning district, at APN: 036-142-12. 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.

**Recommended Action:** Consider Permit #23-0374 and either approve the application as proposed or provide direction on reducing the rear massing and continue the application to a future meeting.

Property Owner: Frank Mecozzi & Jennifer Fribourgh

Representative: Valerie Hart, Filed: 8/16/23

**Background:** On November 15, 2023, the Development and Design Review Staff reviewed the application and provided the application with the following direction:

<u>Public Works Representative</u>, <u>Erika Senyk</u>: asked for clarification on the landscaping and site drainage.

Building Official, Eric Martin: had no comment.

<u>Associate Planner, Sean Sesanto</u>: noted the inclusion of privacy screening for the new deck. Mr. Sesanto discussed the structure's non-conforming status of the structure and size of additions relative to the existing residence and noted that correction of the non-conforming garage wall or a variance may be required. Staff also requested a section be provided for the great room to assess floor area ratio. It was also recommended the project include improvements to the front landscaping.

Following the Design Review meeting, the applicant updated the plans to include a variance request for the non-conforming wall and revised the plans to include cross-sections of the great room, a front landscape plan, and a new driveway layout.

**Development Standards:** The following table outlines the zoning code requirements for development in the R-1 zoning district. With the approval of a Variance for the first-story side setback, the project complies with applicable development standards.

Development Standards								
Building Height								
R-1 Regulation	Existing	Proposed						
25 ft.	14 ft. 1 in.	23 ft. 9 in.						
Floor Area Ratio (FAR)								
	Existing	Proposed						
Lot size	6,354 sq. ft.	6,354 sq. ft.						
Maximum Floor Area Ratio	48% (Max 3,050 sq. ft.)	48% (Max 3,050 sq. ft.)						
First Story Floor Area	1,646 sq. ft.	1,794 sq. ft. (skylights 18 sf)						
Second Story Floor Area	N/A	810 sq. ft. Deck: 65 sq. ft65 sq. ft. Deck Exemption						

Accessory Structure	438 sc	ı. ft.	2	ft.		
Total FAR	32.8%	(2,084sq. ft.	45.5% (		(2,896 sq. ft.)	
Setbacks						
	R-1 re	gulation	Existin	g	Proposed	
Front Yard 1st Story	1	5 ft.	15 ft. 11 in.		15 ft. 11 in.	
Front Yard 2 <sup>nd</sup> Story & Garage	2	0 ft.	Main: N/A Garage: 21 ft. 9 in.		Main: 20 ft. Garage: 21 ft. 9 in.	
Side Yard 1st Story	10% lot width	Lot width 50 ft.	North: 5 ft. 2 in.  South: 4 ft. 6 in.		North: 5 ft. 2 in.	
		5 ft. min.			South: 4 ft. 6 in. Existing Nonconforming	
Side Yard 2 <sup>nd</sup> Story	15% of width	Lot width 50 ft.	N/A		North: 8 ft. 1 in.	
		7 ft. 6 in. min			South: 7 ft. 9 in.	
Rear Yard 1 <sup>st</sup> Story	20% of parcel depth	Lot depth 127 ft. 1 in. 25 ft. min.	49 ft. 1 in.		44 ft. 1 in.	
Rear Yard 2 <sup>nd</sup> Story	20% of parcel depth	Lot depth 127 ft. 1 in 25 ft. min.	N/A		74 ft. 10 in.	
Parking	·					
2,001 – 2,600 sq. ft.: 3 per	Required	Required			Proposed	
unit, 1 covered	3 spaces total 3 spaces total 1 covered 2 uncovered 2 uncovered			3 spaces total 1 covered 2 uncovered		
Underground Utilities: R					Required	

**Discussion:** The property is located within the Depot Hill neighborhood, surrounded by one- and twostory single-family and multifamily residences. The Depot Hill neighborhood is one of the original settlement areas within Capitola and is home to many historic structures. The home at 605 Escalona is a single-story, single-family home that is not historic.

<u>Design Permit</u>: The remodel adds a new second story and refreshes the residence in a cottage style with its use of both vertical board and batten and shingle siding, casement windows, and steep gables. The project adds approximately one thousand square feet to the existing residence.

<u>Design Review Criteria:</u> When considering design permit applications, the city 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. Staff prepared analysis for the following Design Review Criteria directly applicable to the proposed project. The complete list of Design Review Criteria is included as Attachment #4.

A. <u>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.</u>

Staff Comment: The overall project design enhances both the existing structure and surrounding landscape. Varieties of cottage architecture are commonly found throughout Capitola and complements the older architecture of Capitola and the Depot Hill neighborhood.

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.

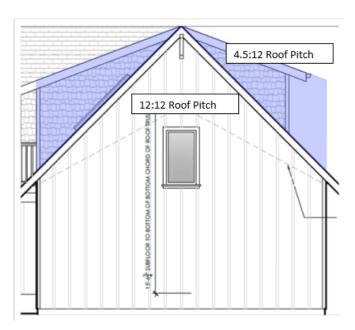
Staff Comment: The design is similar in scale to recent and existing developments in the neighborhood. The project incorporates updated landscaping and a new driveway which will enhance the streetscape while minimizing impacts to adjacent residences.

F. Privacy. The orientation and location of buildings, entrances, windows, doors, decks, and other building features minimize privacy impacts on adjacent properties and provide adequate privacy for project occupants.

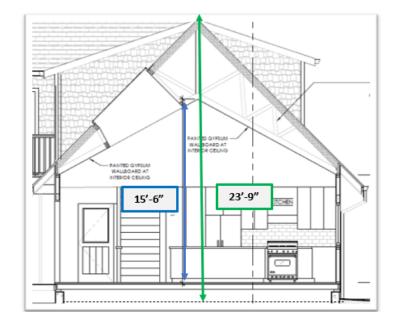
Staff Comment: The project design is consistent and compatible with adjacent properties, with upper-story massing towards the front of the lot and orients larger windows towards the front and rear yards. The project includes a second-story deck along the rear facade and has been designed to comply with the recently adopted objective standards for second-story decks within the R-1 zone, including a 10-foot side setback, projection limited to six feet from the building wall, a five foot-six-inch privacy wall along the adjacent property line, and orientation which faces away from the side property line.

H. Massing and Scale. The massing and scale of buildings complement and respect neighboring structures and correspond to the scale of the human form. Large volumes are divided into small components through varying wall planes, heights, and setbacks. Building placement and massing avoids impacts to public views and solar access.

Staff Comment: The purpose of a maximum Floor Area Ratio (FAR) is to limit overall intensity and massing. The zoning code double-counts floor area when the interior space is has a floor-to-ceiling height greater than 16 feet in height. The rear single-story portion of the home utilizes a steep 12:12 roof pitch, which is a common feature in cottage-style architecture. Due to the steep roof and a raised foundation, the single-story area has a height of 23-feet, 9-inches, equal to the second-story section on the front of the home.



With the proposed truss design, the interior floor-to-ceiling height does not exceed 16 feet except in the areas where skylights are proposed. The floor area is only double-counted within the areas of the room with skylights.



The volume on the front of the home is broken up with smaller rooflines and wall planes. Much of the massing is located towards the front and center of the lot to reduce imposition on adjacent properties. Although the height of the rear portion of the home is as tall as a typical two-story, the steep roof pitch creates less overall upward massing than a two-story structure with the same footprint. Should the Planning Commission find its massing and scale are incompatible with the neighboring structures and neighborhood, they may consider requiring the applicant reduce the overall height of the rear addition.

- I. Architectural Style. Buildings feature an architectural style that is compatible with the surrounding built and natural environment, is an authentic implementation of appropriate established architectural styles, and reflects Capitola's unique coastal village character.

  Staff Comment: The cottage-style home with board and batten and second story shingle siding is typical is compatible with the eclectic blend of architecture in the Depot Hill neighborhood.
- J. Articulation and Visual Interest. Building facades are well articulated to add visual interest, distinctiveness, and human scale. Building elements such as roofs, doors, windows, and porches are part of an integrated design and relate to the human scale. Architectural details such as trim, eaves, window boxes, and brackets contribute to the visual interest of the building.

  Staff Comment: The structure provides visual interest and distinctiveness, especially from the street with a well-articulated front elevation, blend of board-and-batten and shingle siding, and staggered gables. The covered, recessed entryway with the door oriented toward the street will provide a welcoming, human scale sense of arrival.
- K. <u>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.</u>

Staff Comment: The remodel consists of cement fiber board and batten siding, cement fiber exterior shingle siding, asphalt shingles, and all new windows and doors. The materials are high quality, durable, and will enhance the appearance, condition, and quality of the existing structure and complement the surrounding neighborhood.

M. <u>Landscaping. Landscaping is an integral part of the overall project design, is appropriate to the site and structures, and enhances the surrounding area.</u>

Staff Comment: The project removes a large stump located between the street and residence, which allows the driveway to be relocated along the southwest side of the property. The existing front landscape is overgrown and will be replaced with a variety of low-growing plants. The new landscape plan will enhance the surrounding area and the overall project.

<u>Parking:</u> The project is required to provide three parking spaces, one of which must be covered. The site currently provides the necessary parking but has a driveway approach that curves around a large standing tree stump. The proposal includes removal of the large stump and relocating the driveway in its place for direct vehicle access. The existing garage space will remain.

Non-Conforming Structure: The existing dwelling encroaches eight inches into the required first-story side yard setback along the south property line and is therefore considered a legal non-conforming structure. Pursuant to code section 17.92.070, structural alterations to an existing non-complying structure may not exceed 80 percent of the present fair market value of the structure. Staff estimates that the project exceeds 80 percent of the present fair market value of the structure based on the City formula. The application includes a Variance to maintain an existing first-story side setback which if granted, would no longer be subject to the limitation on alterations.

<u>Variance:</u> The applicant is requesting a variance for the first-story side setback of the existing garage. The angle of the existing residence is slightly offset from the lot, with the structure being closer to the southwest corner of the lot. The required minimum side setback is five feet, one inch. The existing garage is approximately four-feet, five-inches from the side property line. The requested variance reduces the side setback by eight inches at the existing garage side wall.

Pursuant to §17.128.060, the Planning Commission may grant a variance when it finds:

- A. There are unique circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, that do not generally apply to other properties in the vicinity or in the same zone as the subject property.
  - Staff Analysis: 605 Escalona Drive has an angled front lot line which is not common throughout Capitola. Because side setbacks on four-sided lots are calculated as an average between the front and rear lot widths, required side setbacks are slightly larger due to the angle of the front property line.
- B. The strict application of the zoning code requirements would deprive the subject property of privileges enjoyed by other property in the vicinity or in the same zone as the subject property. Staff Analysis: The Depot Hill neighborhood was zoned multi-family from the time of the City Incorporating (1949) until 1979. The change to single-family zoning in 1979 altered the development standards, including setbacks, for the entire neighborhood. There are many structures in the Depot Hill neighborhood with non-conforming setbacks due to the 1979 zone change. The granting of a variance would enable the applicant to construct the proposed additions without moving the garage wall half a foot.
- C. The variance is necessary to preserve a substantial property right possessed by other property in the vicinity or in the same zone as the subject property.
  - Staff Analysis: Several properties in the vicinity have substandard side setbacks similar to the condition found on the subject property. The granting of a variance would enable the applicant to construct the proposed additions without requiring removal of an existing nonconforming garage side wall.
- D. The variance will not be materially detrimental to the public health, safety, or welfare, or be injurious to the property or improvements in the vicinity or in the same zone as the subject property.

Staff Analysis: The proposed additions will meet current development standards, including setbacks. Approval of the variance will not negatively impact the public, properties, or improvements in the vicinity or in the same zone as the subject property. The garage is located four-feet, five-inches from the side property line, allowing adequate space during an emergency for access around the home.

- E. The variance does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity or in the same zone as the subject property.
  - Staff Analysis: Two properties along the south side of Escalona Drive have substandard setbacks. Substandard side setbacks are more common on the north side of Escalona Drive, where the average lot widths are narrow. Many properties on the north side of the street have non-conforming side setbacks. The variance acknowledges an existing garage side wall and does not constitute a grant of special privilege.
- F. <u>The variance will not have adverse impacts on coastal resources.</u>
  Staff Analysis: The project does not impact nearby coastal resources.

**CEQA:** Section 15301(e)(2) of the CEQA Guidelines exempts minor alterations of existing private structures involving negligible no expansion of use, including additions to existing structures. The project expands an existing single-family dwelling with a negligible expansion of use.

#### **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. With approval of a Variance for the first-story side setback, the proposed single-family residence complies with the applicable development standards of the R-1 (Single-Family Residential) zoning district.

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 single-family residence. With approval of a Variance for the first-story side setback, the proposed single-family residence will comply with, 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 15301(e)(2) of the CEQA Guidelines exempts minor alterations of existing private structures involving negligible no expansion of use, including additions to existing structures that will not result in an increase of more than 10,000 square feet, provided that (A) the project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and; (B) the area in which the project is located is not environmentally sensitive. The project involves additions to a single-family dwelling within the R-1 (Single-Family Residential) zoning district. The development is permissible in the General Plan and the project is not located in an environmentally sensitive area.

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 remodel 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 all reviewed the application for the single-family residence. The cottage theme maintains the character of the neighborhood, which has a variety of traditional architectural styles. The project complies with height standards for the zone and is similar in scale to nearby developments on Capitola Avenue.

#### **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 605 Escalona Drive. 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 605 Escalona Drive. 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 a single-family residence and will not negatively impact low-cost public recreational access.

E. The project maintains or enhances opportunities for visitors.

The project involves a single-family residence and will not negatively impact visitor serving opportunities.

F. The project maintains or enhances coastal resources.

The project involves a single-family residence 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) zoning district.
- 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 on an existing commercial lot. The proposed project is consistent with the LCP goals for appropriate coastal development and land uses. The residential use is consistent with allowed uses of the R-1 (Single-Family Residential) zoning district.

#### Variance Findings:

A. There are unique circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, that do not generally apply to other properties in the vicinity or in the same zone as the subject property.

Staff Analysis: 605 Escalona Drive has an angled front lot line which is not common throughout Capitola. Because side setbacks on four-sided lots are calculated as an average between the front and rear lot widths, required side setbacks are slightly larger (about an inch) due to the angle of the front property line.

B. The strict application of the zoning code requirements would deprive the subject property of privileges enjoyed by other property in the vicinity or in the same zone as the subject property.

Staff Analysis: The Depot Hill neighborhood was zoned multi-family from the time of the City Incorporating (1949) until 1979. The change to single-family zoning in 1979 altered the development standards, including setbacks, for the entire neighborhood. There are many structures in the Depot Hill neighborhood with non-conforming setbacks due to the 1979 zone change. The granting of a variance would enable the applicant to construct the proposed additions without moving the garage wall half a foot.

C. The variance is necessary to preserve a substantial property right possessed by other property in the vicinity or in the same zone as the subject property.

Staff Analysis: Several properties in the vicinity have substandard side setbacks similar to the condition found on the subject property. The granting of a variance would enable the applicant to construct the proposed additions without requiring removal of an existing nonconforming garage side wall.

D. The variance will not be materially detrimental to the public health, safety, or welfare, or be injurious to the properties or improvements in the vicinity or in the same zone as the subject property.

Staff Analysis: The proposed additions will meet current development standards, including setbacks. Approval of the variance will not negatively impact the public, properties, or improvements in the vicinity or in the same zone as the subject property. The garage is located four-feet, five-inches from the side property line, allowing adequate space during an emergency for access around the home.

- E. The variance does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity or in the same zone as the subject property. Staff Analysis: Two properties along the south side of Escalona Drive have substandard setbacks. Substandard side setbacks are more common on the north side of Escalona Drive, where the average lot widths are narrow. Many properties on the north side of the street have non-conforming side setbacks. The variance acknowledges an existing garage side wall and does not constitute a grant of special privilege.
- F. The variance will not have adverse impacts on coastal resources.

Staff Analysis: The property will not impact nearby coastal resources.

#### **Conditions of Approval:**

1. The project approval consists of the remodel of an existing single-family dwelling. The maximum Floor Area Ratio for the 6,354 square foot property is 48% (3,050 square feet). The total FAR of the project is 45.6% with a total of 2,896 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 January 18, 2024, except 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 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, all Planning fees associated with permit #23-0374 shall be paid in full.
- 7. Prior to issuance of 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.
- 8. 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.
- 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.
- 10. 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).
- 11. 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.
- 12. 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.
- 13. During construction, 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.
- 14. Prior to issuance of Certificate of Occupancy, 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.
- 15. 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 any non-compliance in a timely manner may result in permit revocation.
- 16. 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.
- 17. 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.
- 18. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
- 19. 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.
- 20. 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. Outdoor lighting fixture specifications shall be included with the plans submitted for building permit plan check.
- 21. At time of submittal for demolition and/or building permit review, the applicant shall include a demolition work of scope statement and a demolition plan clearly identifying all areas of walls and floors to be demolished. The City may require a letter from a structural engineer. Any modifications to the demolition plans, including modifications to the scope of work, means and methods of demolition/construction, or changes to the framing, windows, or any other exterior elements shall be submitted to the Building Department for review and approval prior to proceeding with demolition and/or construction. In the course of construction, the City may require additional plans as they deem necessary.

#### Attachments:

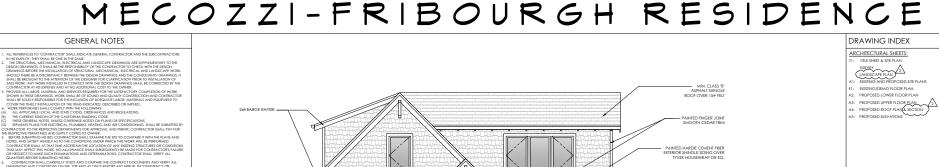
- 1. 605 Escalona Drive Plan Set
- 2. 605 Escalona Drive Variance Letter
- 3. 605 Escalona Drive Owner Letter
- 4. Design Permit Review Criteria

Report Prepared By: Sean Sesanto, Associate Planner

Reviewed By: Austin Westly, Deputy City Clerk

Approved By: Katie Herlihy, Community Development Director

## MECOZZI-FRIBOURGH RESIDENCE



MAN MAN FRECT RISK WORK NO ALCOHOMAL, SHOULD SERECTIFIED BE ROWNED THE ALCOHOMAL STATE OF A COUNTRY OF THE ALCOHOMAL STATE OF THE ALCOHOM

ISTRUCTIONS.

ONTRACTOR TO VERIFY WITH HOMEOWNERS ALL FINAL MATERIALS, FIXTURES AND EQUIPMENT PRIOR TO

PARCEL MAP



ALL CONSTRUCTION MUST CONFORM TO THE RECOMMENDATIONS OF THE FOLLOWING REPORT: GEOTECHNICAL INVESTIGATION: PROJECT No. 23-159-SC PREPARED BY BUTANO GEOTECHNICAL ENGINEERING, INC. DATED JUNE 2023

BUILDING INFORMATION SUMMARY

## y 💆 v 🚋 \ U ... 3

-1										
	SETBACKS				REQUIR	ED	EXISTING	,	PROPOSED	ī
-	FRONT YARD	GARAGE			201	-0"	22'-5'	-	22'-5"	
		1st STORY			15	-0"	16'-7.	.5"	20'-11"	
9		2nd STORY		^ -	20'	0	NON	E	20'-0"	_
	SIDE YARD	1st STORY 10%		Z2\(	5:0	)"	(R) 4'-5 1'/ (L) 5'-	2 है	(R) 4'-5 #/ (L) 5'-5"	i.
1		2nd STORY 15	5%		7.6	S	NON	Ē	(R) 7.797 (L) 8.54	ĺ
	REAR YARD	1st STORY			201	-0"	49'-1	-	44'-1"	
		2nd STORY			201	-0"	NON	Е	74'-10"	
	HEIGHT				27	-0"	14'-5.	5"	24'-3.75"	
	ELOOD ADEA DA	JIO	LOT SIZE	MA	x (48%)	FX	ISTING (33%)		PROPOSED (45 77%)	

STRUCTURAL DATA

S 2 2 4 2 W 2 1 1 0 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	HEIGHT				27'-	0" 14"	5.5" 24'-3.7
VICINITY MAP	FLOOR AREA RA	ATIO_	LOT SIZE	MAX	(48%)	EXISTING (33%)	PROPOSED (45
			6,382.5 sq.ft.	3,063	.6sq.ft.	2,118 sq.ft.	2,921 sq.ft.
ESCALONADR	EXISTING		HABITABLE SPACE		GARAGE	SHED	TOTAL
	(E) TOTALS		1,286 sq.ft.		392 sq. ft.	440 sq. ft.	2,118 sq.ft.
The state of the s							
The state of the s	PROPOSED		HABITABLE SPACE		GARAGE	SHED	TOTAL
	(P) 1st STORY		1,406 sq.ff.		392 sq. ft.	292 sq. ft.	2,090 sq.ft.
	(P) 2nd STORY		862 sq.ft.				862 sq.ft.
	(P) STAIR CREDIT		<31 sq.ft.>				<31 sq.ft.>
	(P) CLG HT > 16'						
1 30 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	(P) TOTAL		2,237 sq.ft.		392 sq. ft.	292 sq. ft.	2,921 sq.ft.
	HEATED SQUARE	FOOTAGE	PARKING			REQUIRED	AND PROPOSED
	2,268 SQ.FT.		2,921 sq.ft - 325 sq.ft. GARAGE C 2,596 SQ.FT.	REDIT		3 SPACES, COVERED	ONE OF WHICH MUST
1 2 3 01	1				TOTAL	35	PACES

ADDRESS NUMBERS WILL	BE POSTED	AND MAINTAINED AND SHALL
BE A MINIMUM OF FOUR	(4) INCHES	IN HEIGHT AND OF A COLOR

BE A MINIMUM OF FOUR (4) RICHES IN HEIGHT AND OF A COLOR CONTRASTING FOR THE ARCOGNOUND.

A 30 FOOT CLEARANCE WILL BE MINIMUM DWITH

A 30 FOOT CLEARANCE WILL BE MINIMUM DWITH

THESE PLANEA ARE IN COMPLANCE WITH CALL SON A BUILDING AND FIRE CODES 2022 EDITION), AND CENTRAL FIRE PROTECTION DISTRICT AMENDMENTS.

FIRE NOTES

FIRE HYDRANT INFORMATION: FIRE FLOW REQUIRED: 1,000
GPM/120 MIN

LOCATION: CORNER OF ESCALONA AND SACRAMENTO AVE IN FRONT OF 603 ESCALONA (APPROX. 100 FT TO PROPERTY) RESIDUAL PRESSURE : 20 PSI FLOW [GPM]: 1,500 FLOW @ 20 PSI (GPM). = 1,489 GPM DATE TESTED: MODELED- NO DATE

OCCUPANCY CLASSIFICATION: R-3/U 7ONING DESIGNATION:

> SRA-LOT AREA:

CODE NOTE:

ALL WORK INDICATED ON THE PLANS SHALL COMPLY WITH THE FOLLOWING CODES:

2022 CALIFORNIA RESIDENTIAL CODE

2022 CALIFORNIA BUILDING CODE

PROJECT DESCRIPTION

2022 CALIFORNIA SILIDING CODE
 2022 CALIFORNIA PIRE CODE
 2022 CALIFORNIA PILMBING CODE
 2022 CALIFORNIA PILMBING CODE
 2022 CALIFORNIA BECHRICA CODE
 2022 CALIFORNIA BECRISIC CODE
 2022 CALIFORNIA GREEN BULDING STANDARDS
 2022 CALIFORNIA RERECY STANDARDS
 2022 CITY OF CAPPICIA MUNICIPAL CODE

#### CONTACTS

PROJECT DESIGNER: VALERIE HART RESIDENTIAL DESIGN VALERIE HART 3680 N. RODEO GUICH ROAD SOQUEL, CA 95073 PH: (831) 239-1609 valerie95062@yahoo.com

STRUCTURAL ENGINEER:

OWNER: FRANK MECOZZI & JENNIFER FRIBOURGH 605 ESCALONA DRIVF CAPITOLA, CA 95010 PH: (831) 251-9953

PROPOSED 120 SQ.FT. LOWER FLOOR ADDITION. AND 862 SQ.FT. UPPER FLOOR ADDITION TO EXISTING 1,284 SQ.FT. SERVICOSON, 2 BATH SINGLE STORY, SINGLE ADDITION TO EXISTING 1,284 SQ.FT. LEED CO.M. 2,54 SH.FT. SERVICOSON, 2,54 SH.FT. SERVICOSON, 3,54 SH.FT

PROJECT ADDRESS: 605 ESCALONA DRIVE CAPITOLA, CA 95010 PARCEL NUMBER:

CONSTRUCTION TYPE: R-III TYPE V-R SPRINKLERED LRA, WUI COMPLIANCE NOT REQUIRED

TOTAL HEATED AREA: 2.268 SQ.FT.

HANAGAN LAND SURVEYING PAUL HANAGAN 305-C SOQUEL AVE. SOQUEL, CA 95062 PH: (831) 469-3428

SURVEY:

GEOTECHNICAL ENGINEER: BUTANO GEOTECHNICAL ENGINEER GREG BLOOM, C.E. 58819 231 GREEN VALLEY ROAD, SUITE 3 FREEDOM, CA 95019 PH: (831) 724-2612

LANDSCAPE DESIGNER:

WOODLING LANDSCAPE DESIGNICOLE WOODLING
PH: (831) 359-3773
nwd831@gmail.com

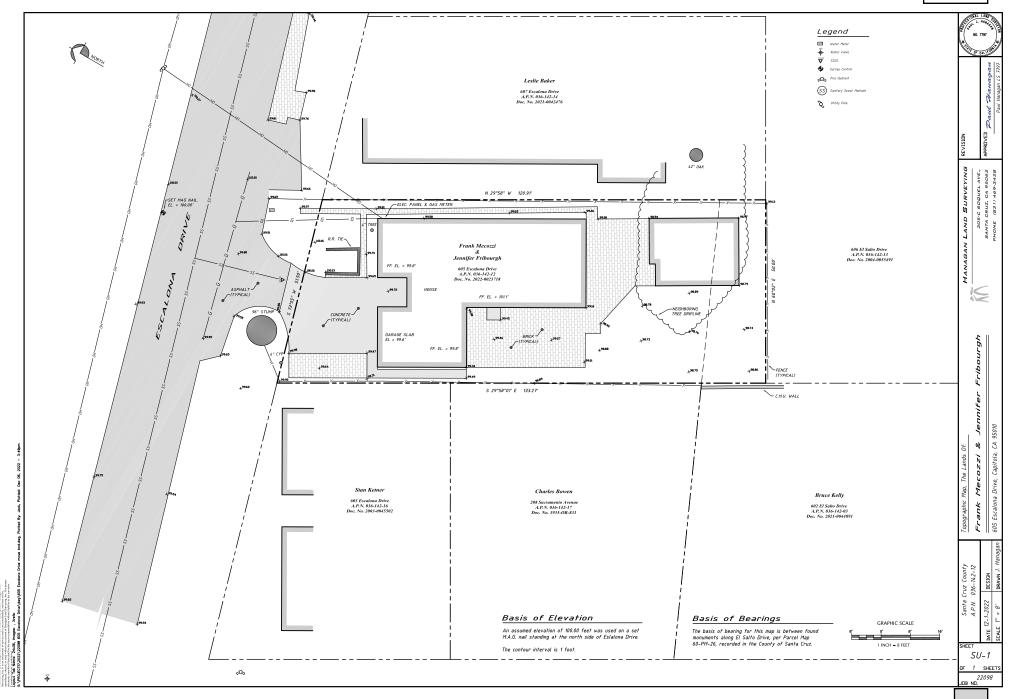
TITLE SHEET

VALERIE HART RESIDENTIAL DESIGN

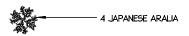
3680 N. RODEO GULCH ROAD, SOQUEL, CA 95073 (831) 239-1609 valerie95062@vahoo.com mecozzi residence

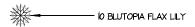
605 Escalona Drive, Capitola, CA 95010 apn: 036-142-12

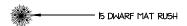
planning submittal: AUGUST 11, 2023 planning submittal PC1: SEPTEMBER 18, 2023 planning submittal PC2 DECEMBER 19, 2023

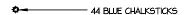


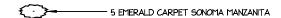
Qty	Botanical Name	Common Name	Size/Condition		
Shrubs .					
4	Fatsia japonica	JAPANESE ARALIA	5-gal		
0m	amental Grasses				
10	Dianella 'Blutopia'	BLUTOPIA FLAX LILY	5-gal		
15	Lomandra longifolia 'Breeze'	DWARF MAT RUSH	5-gal 1-gal		
Succ	ulents				
44	Senecio serpens	BLUE CHALKSTICKS	1-gal		
Gro	ındcovers				
5	Arctostaphylos densiflora 'Emerald Carpet'	EMERALD CARPET SONOMA MANZANITA	1-aal		











#### PLANTING NOTES

ALL PLANT MATERIAL TO BE REMOVED EXCEPT THOSE MARKED EXISTING ON PLANS

SPREAD 2-IF COMPOST OVER SOIL SURFACE OR MIX LOURIC YARD COMPOST TO 3 OURIC YARDS SOIL GRADE ALL SOIL SURFACES SMOOTH WITH NO LOCALIZED DEPRESSIONS EXCEEDING QE

ALL AREAS SHALL SURFACE DRAIN WITH 2 HINN'LIN SLOPE AWAY FROM STRUCTURES AND PAVING

ALL PLANTS TO BE INSTALLED IN RIGID GALVANZED STAILESS STEEL GOPHER BASKETS,

ALL PLANTING HOLES TO HAVE 20-10-5 SLOW RELEASE FERTILIZER TABS, NOT TO BE USED WITH PROTEACEAE GENUS

ALL NEWLY PLANTED MATERIAL TO BE WATERED BY DEEP SOAKING WITHIN THREE HOURS OF PLANTING

ALL PLANTING AREAS TOP DRESSED WITH 3" MAHOGANY WONDER FINES MILCH UNLESS OTHERWISE SPECIFED,

RRIGATION AND DRAWAGE SYSTEMS TO BE DESIGNED BY CONTRACTOR,

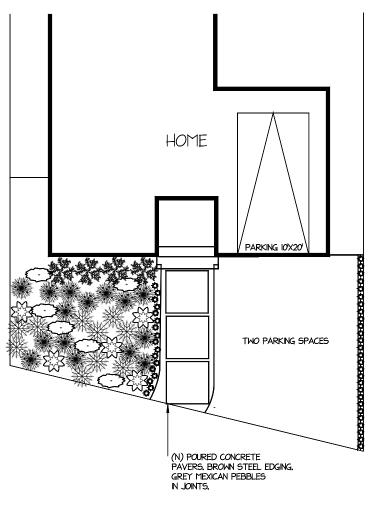
ALL RRIGATION IS HIGH-EFFICIENCY DRIP RRIGATION NO OVERHEAD SPRAY IS USED,

ALL PLANTS USED ARE CLIMATE-ADAPTED AND REGURE LITTLE TO NO SUMMER WATER,

#### WELO NOTES

FOR RESIDENTIAL AREAS, INSTALL PLANTS THAT REGURE OCCASIONAL, LITTLE OR NO SUPPER HATER FOR 75 OF THE PLANT AREA, A HISHILL OF STILLCH IS APPLED ON ALL PLANTES, AREAS EXCEPT TURK AND HERRE CONTRANDICATED, TURF SHALL NOT DICEOD 25 OF THE PLANTED AREA IN RESIDENTIAL AREAS,

THE SHALL NOT EXCED 25 OF THE PLANTED AREA IN RECORDING AREAS,
NO THEY ON EXCEDD AREA DECEMBER (VERTICAL EXCATOR) CANNEE FOR EMERY A PAREATIAL LEWENT,
THEY BE PROMISTED IN PARRAMENTS LESS THAN U FACE INJECTION OF SHEET A PARRAME STREP LESS TO ENTIRE VEHICLES
AUTOPHATE, REACHING CANTIGULES BE RECREMED AND THEY WERE AND SHALL FOR SHEET,
RESIGNATION CONTROLLESS THAT FOR THE RECREMENT AND THE PLANT OF A POWER OUT AGE.
RESIGNATION CONTROLLESS THAT FOR THE PROPERTY OF A POWER OUT AGE.
THANKS SHALL FOR THE PROPERTY AND ONE RECREMENT THAT OF A POWER OUT AGE.
THANKS SHALL FREED ARE INSTITUTED AS CLOSE AS PORSELLE TO POINT OF CONNECTION OF WATER SUPPLY
AND SHAPPING THE PAREATION AS DESTREMENT AND EXTENTION OF AN AGE STANDARDS,
ANY AREA LESS THAN 10" MEET RUST BE INSTITUTED WHITH SUBSURFACE RESIGNATION (NO RACKET).



ESCALONA DRIVE



LANDSCAPE DESIGN

FRIBOURGH/ MECOZZI RESIDENCE

JENNY FRIBOURGH & FRANK MECOZZI 605 ESCALONA DRIVE CAPITOLA CA 95010

> 650,218,9052 jlfribourgh@gmail.com



SCALE: (1=4) DESIGNED BY: NICOLE WOODLING DATE: 12.16.2023

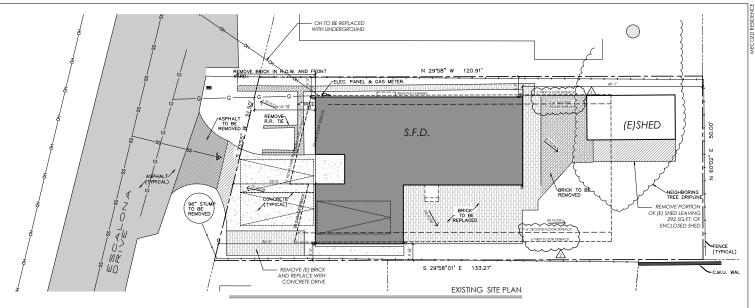


NOTE: PRIOR TO ANY WORK IN THE CITY ROAD RIGHT OF WAY, AN ENCROACHMENT PERMIT SHALL BE ACQUIRED BY THE CONTRACTOR PERFORMING THE WORK, NO MATERIAL OR EQUIPMENT STORAGE MAP BE PLACED IN THE ROAD RIGHT OF WAY.

#### DRAINAGE NOTES

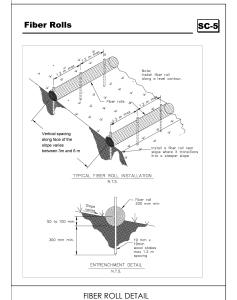
#### IMPERVIOUS COVERAGE CALC

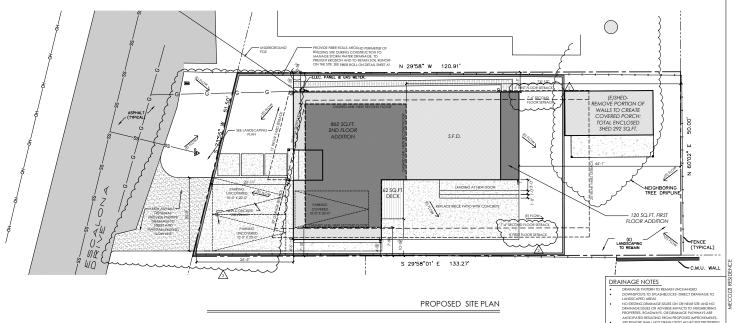
BUILDINGS:	2,101.5 S.F.
HARDSCAPE:	2,135 S.F.
TOTAL (E):	4 224 5 5



#### EROSION CONTROL NOTE:

FIBER ROLL SHALL BE PLACED AROUND COMMENCEMENT OF CONSTRUCTION AND MAINT.

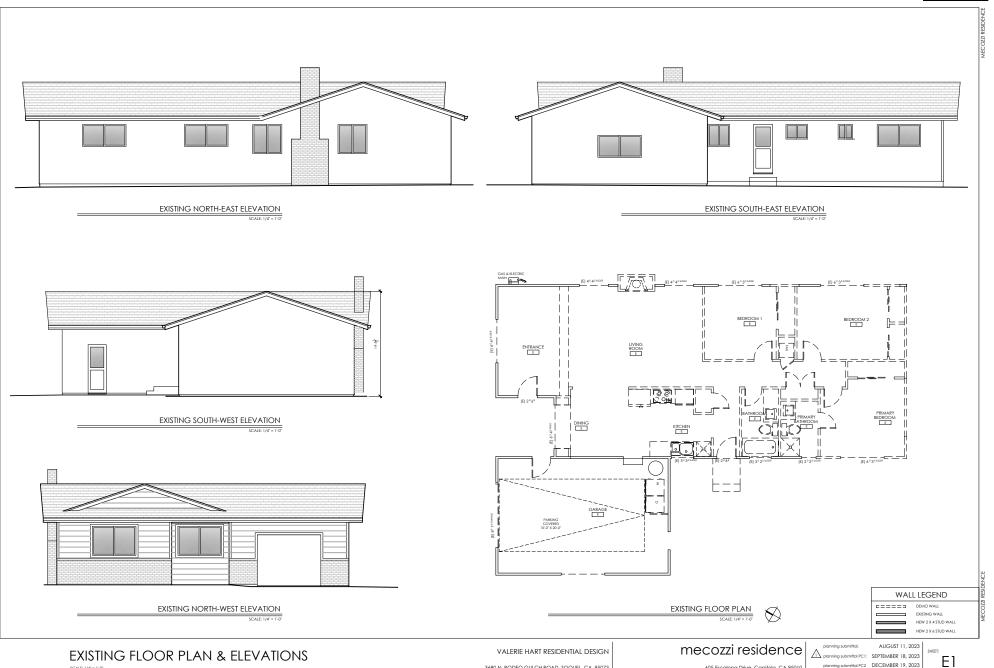




VALERIE HART RESIDENTIAL DESIGN 3680 N. RODEO GULCH ROAD, SOQUEL, CA 95073 (831) 239-1609 valerie95062@yahoo.com mecozzi residence

AUGUST 11, 2023 planning submittal PC1: SEPTEMBER 18, 2023 2 planning submittal PC2 DECEMBER 19, 2023

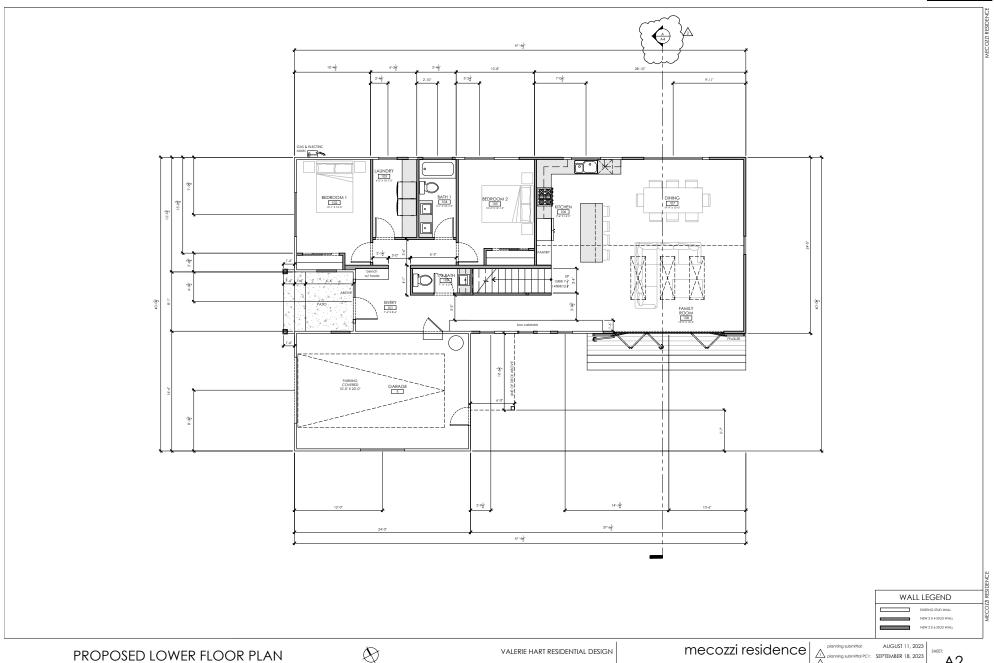
Α1



3680 N. RODEO GULCH ROAD, SOQUEL, CA 95073 (831) 239-1609 valerie95062@yahoo.com

605 Escalona Drive, Capitola, CA 95010 apn: 036-142-12

planning submittal PC2 DECEMBER 19, 2023



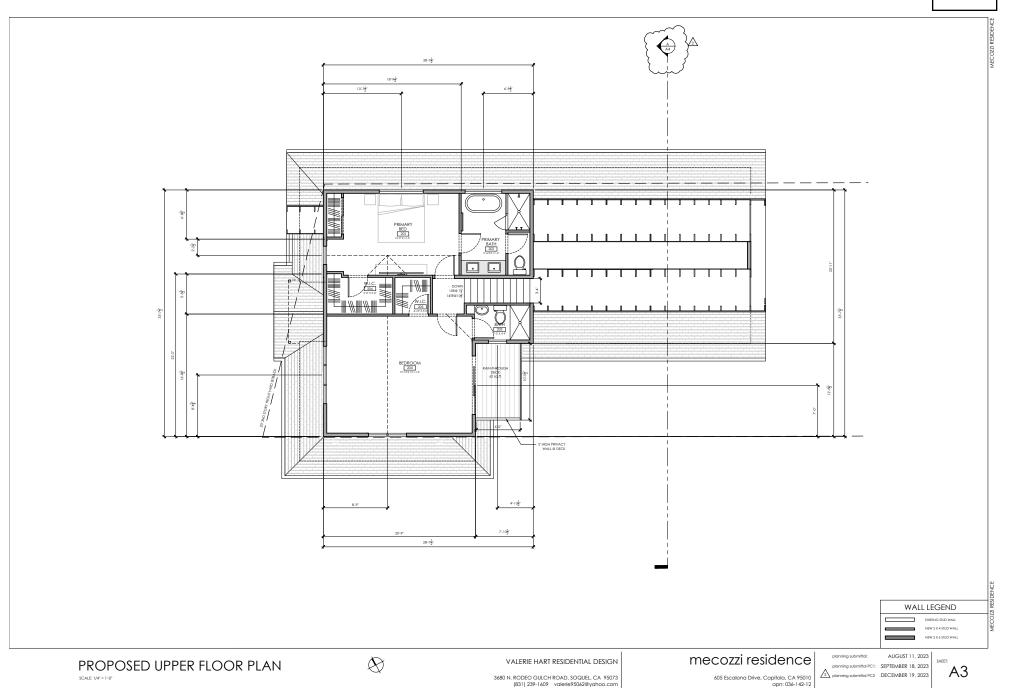
VALERIE HART RESIDENTIAL DESIGN

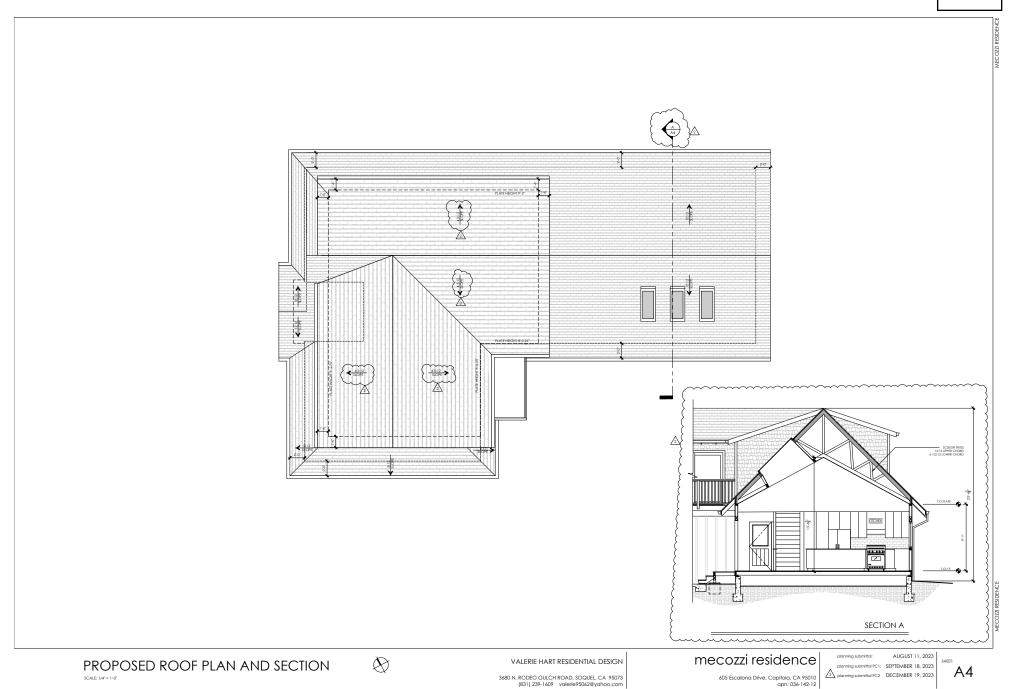
3680 N. RODEO GULCH ROAD, SOQUEL, CA 95073 (831) 239-1609 valerie95062@yahoo.com

mecozzi residence

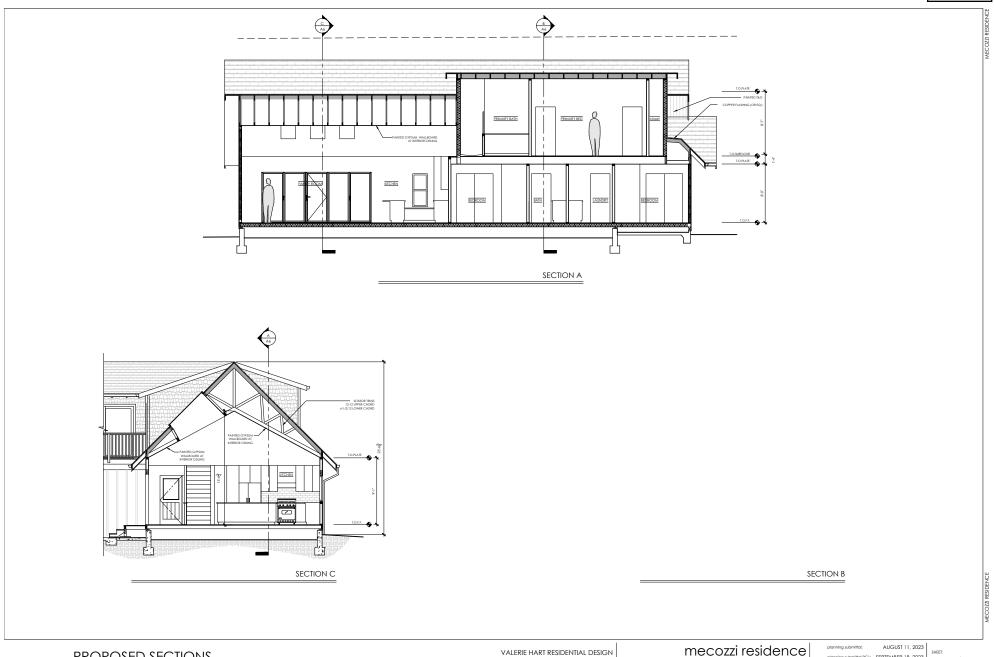
planning submittal PC1: SEPTEMBER 18, 2023 planning submitted PC2 DECEMBER 19, 2023

A2









PROPOSED SECTIONS

SCALE: 1/4" = 1'-0"

23

Please explain your Variance request and the development standard(s) which you would like to modify.

We are requesting a variance to allow an existing wall (western wall of the garage) to remain in place. The wall currently extends several inches into the side setback.

Please provide the reasons you believe the following findings can be made to support your Variance request. Note any special circumstances related to your property, including lot size, dimensions, shape, structure, topography, and/or a historic structure. Attach additional pages as necessary.

A. There are unique circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, that do not generally apply to other properties in the vicinity or in the same zone as the subject property.

- 1. The lot is more than 2.5 times long as it is wide, making it abnormally narrow for a lot of comparable square footage. It is the narrowest lot in the group of properties encircled by Escalona Dr., Sacramento Ave., and El Salto Dr.
- 2. The existing dwelling is in an offset position relative to the side property boundaries; while there is encroachment over the setback on the westside, there is room to spare on the eastside. The width of the dwelling is approximately 40 feet while the width of the property is approximately 50 feet. If the dwelling were centered relative to the property lines, there would be no need to apply for a variance.

B. The strict application of the zoning code requirements would deprive the subject property of privileges enjoyed by other property in the vicinity or in the same zone as the subject property.

Strict application of the zoning code requirements would prevent the property from utilizing 80% of the width of the property without also realigning the east side of the dwelling (moving it closer to the property line). While technically it would be possible to do this, it is cost prohibitive and unreasonable.

C. The variance is necessary to preserve a substantial property right possessed by other property in the vicinity or in the same zone as the subject property.

On a disproportionately narrow lot, maximizing the width of the dwelling is more important than it is on a wider lot. The variance is necessary to preserve the right to utilize the maximum allowed 80%. Without it, the property must be shifted in order to maintain 80%, which would be cost prohibitive.

D. The variance will not be materially detrimental to the public health, safety, or welfare, or be injurious to the property or improvements in the vicinity or in the same zone as the subject property.

The variance would allow an existing structure to remain in place. Therefore it would have zero impact.

## E. The variance does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity or in the same zone as the subject property.

There are other properties in the neighborhood, including the same street, where encroachment over the side setback is greater than the encroachment this variance would allow. In one example, the property on 510 Escalona Drive has a garage that appears to extend all the way to the property line.

The fact that the wall extends into the setback is not advantageous (special privilege), but a result of the unfortunate fact that the structure is not centered between the side property boundaries.

The most common lot width in Depot Hill is 40 feet, meaning most properties are limited to 4 ft side setbacks. While this variance would allow the primary structure to extend into the setback, it would not allow the structure to come within 4 feet of the property line, which is the limit most properties are subject to.

#### F. The variance will not have adverse impacts on coastal resources.

The variance would allow an existing structure to remain in place. Therefore it would have zero impact.

12/19/2023 APN 036-142-12 605 Escalona Drive

To Whom it May Concern,

In this variance application, we are asking for what we consider to be a very modest allowance. Most importantly, we are not asking to build something new that doesn't comply with a zoning ordinance; we are asking for an existing wall to remain in place despite the fact that it is inches over a setback. The encroachment is so small that it is only a couple inches away from being considered a minor exception, in which case it would not even require a variance. Although these factors are not principally explored by the questions in the variance application, they deserve serious consideration in our opinion.

The position of our garage wall does not grant the property an inherent advantage. It just allows us to continue to utilize approximately 80% of the lot width, which is the maximum allowed for almost all R-1 properties in the area. We require a variance not because the dwelling is too wide, but because it is shifted; if it were positioned centrally, no variance would be required.

If we were forced to push the wall in, we could still get back to 80% by pushing out the opposite side of the dwelling. Therefore, we would just be saving costs, not gaining an inherent advantage from this variance. Ultimately, the variance allows us to keep the same width of the house without the extreme, unnecessary expenditure of shifting everything over. We hope that the planning commission considers the unprecedented, astronomical building costs of the current climate in determining whether to approve this variance. The cost of moving the wall would be significant (quoted between \$15K-\$25K) and the effect would be minimal (inches).

Another point to demonstrate the modesty of the encroachment, and to illustrate how the dwelling's off-center position does not provide a special privilege: the side of the dwelling that cuts into the setback (24 ft long) is much shorter than the side of the dwelling that has room to spare (60ft).

When considering conformity and harmonizing with the rest of the neighborhood, we feel the variance is appropriate for the following reasons.

- 1. On disproportionately narrow lots like ours, modest side-setback encroachments are more understandable, in our opinion, than front/rear setback encroachments (or side setback encroachments on wider lots). It is more important to maximize the width of narrow lots in order to construct more uniform and functional homes without extra long hallways.
- 2. Most lots in the neighborhood have side setback requirements less than or equal to 4 feet. Many of these properties have structures that butt up against the setback or even extend into it. The distance between our non-conforming wall and our property line is greater than 4 feet and is not abnormal whatsoever for the neighborhood.

3. We currently utilize far less (%) of our lot than most other properties in the neighborhood. This project, in its entirety, will bring us closer toward what is typical for the neighborhood without oversizing. 2,237 sq ft of living space is far from overwhelming for a 6,300+ sq ft lot.

Lastly, the following may not hold any water with the planning commission, but we would like to share it in order to illustrate why this variance is critical for us:

We feel our property needs significant updating, as very little has changed since it was constructed in 1964. With this project, we hope to build a home that is worthy of a 6,000 sq ft lot in this neighborhood. Because we recently invested so much in acquiring the property, we would have preferred to wait a few years until we could better afford such an undertaking. Unfortunately, the current condition of the house won't allow that; the roof, the plumbing, and other elements are on borrowed time, in need of imminent repair. We're hoping to solve those issues through the remodel process, as it would be financially untenable to complete a remodel a few years after paying for a brand new roof and replacing the plumbing. So we are pushed to stretch ourselves beyond our limit, earlier than we had hoped.

Without a variance, having to pay \$20,000 to shrink the garage a few inches would further exacerbate the financial equation, and would be conceptually difficult to accept as the garage is the only element of the primary structure that we consider worthy of preservation in a remodel. Last year, I built a storage shelf system with a library ladder across the entire wall in question. As I am a complete novice, it took me a few weekends. Having to remove that system in order to move the wall would further compound our misery.

#### **Design Permit Design Review Criteria**

<u>17.120.070 Design review criteria</u>. When considering design permit applications, the city 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.

- A. Community Character. The overall project design including site plan, height, massing, architectural style, materials, and landscaping contribute to Capitola's unique coastal village character and distinctive sense of place.
- B. Neighborhood Compatibility. The project is designed to respect and complement adjacent properties. The project height, massing, and intensity is compatible with the scale of nearby buildings. The project design incorporates measures to minimize traffic, parking, noise, and odor impacts on nearby residential properties.
- C. Historic Character. Renovations and additions respect and preserve existing historic structure. New structures and additions to non-historic structures reflect and complement the historic character of nearby properties and the community at large.
- D. Sustainability. The project supports natural resource protection and environmental sustainability through features such as on-site renewable energy generation, passive solar design, enhanced energy efficiency, water conservation measures, and other green building techniques.
- E. Pedestrian Environment. The primary entrances are oriented towards and visible from the street to support an active public realm and an inviting pedestrian environment.
- F. Privacy. The orientation and location of buildings, entrances, windows, doors, decks, and other building features minimizes privacy impacts on adjacent properties and provides adequate privacy for project occupants.
- G. Safety. The project promotes public safety and minimizes opportunities for crime through design features such as property access controls (e.g., placement of entrances, fences), increased visibility and features that promote a sense of ownership of outdoor space.
- H. Massing and Scale. The massing and scale of buildings complement and respect neighboring structures and correspond to the scale of the human form. Large volumes are divided into small components through varying wall planes, heights, and setbacks. Building placement and massing avoids impacts to public views and solar access.
- I. Architectural Style. Buildings feature an architectural style that is compatible with the surrounding built and natural environment, is an authentic implementation of appropriate established architectural styles, and reflects Capitola's unique coastal village character.
- J. Articulation and Visual Interest. Building facades are well articulated to add visual interest, distinctiveness, and human scale. Building elements such as roofs, doors, windows, and

- porches are part of an integrated design and relate to the human scale. Architectural details such as trim, eaves, window boxes, and brackets contribute to the visual interest of the building.
- 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.
- L. Parking and Access. Parking areas are located and designed to minimize visual impacts and maintain Capitola's distinctive neighborhoods and pedestrian-friendly environment. Safe and convenient connections are provided for pedestrians and bicyclists.
- M. Landscaping. Landscaping is an integral part of the overall project design, is appropriate to the site and structures, and enhances the surrounding area.
- N. Drainage. The site plan is designed to maximize efficiency of on-site drainage with runoff directed towards permeable surface areas and engineered retention.
- O. Open Space and Public Places. Single-family dwellings feature inviting front yards that enhance Capitola's distinctive neighborhoods. Multifamily residential projects include public and private open space that is attractive, accessible, and functional. Nonresidential development provides semi-public outdoor spaces, such as plazas and courtyards, which help support pedestrian activity within an active and engaging public realm.
- P. Signs. The number, location, size, and design of signs complement the project design and are compatible with the surrounding context.
- Q. Lighting. Exterior lighting is an integral part of the project design with light fixtures designed, located, and positioned to minimize illumination of the sky and adjacent properties.
- R. Accessory Structures. The design of detached garages, sheds, fences, walls, and other accessory structures relates to the primary structure and is compatible with adjacent properties.
- S. Mechanical Equipment, Trash Receptacles, and Utilities. Mechanical equipment, trash receptacles, and utilities are contained within architectural enclosures or fencing, sited in unobtrusive locations, and/or screened by landscaping.

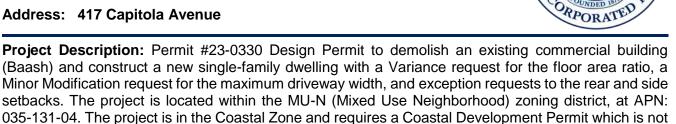
## **Capitola Planning Commission Agenda Report**

Meeting: January 18, 2024

From: Community Development Department

appealable to the California Coastal Commission.

Address: 417 Capitola Avenue



**Recommended Action:** Consider Permit #23-0330 and either approve the project as proposed or provide direction on recommended revisions to the design and continue the application to a future meeting.

**Property Owner:** Bombora LLC.

Representative: Dan Townsend – Fuse Architects, Inc., Filed: 7/11/2023

Background: The original design submitted to the City included a single-car garage with a driveway parking space that pulled in front of the garage and entry. The second story of the home cantilevered over the driveway parking space. Staff informed the applicant early on that the large second-story cantilever along the street frontage was of concern, as the building massing increased on the second story along the sidewalk, which is not typical and in conflict with the design guidelines. The applicant updated the plan with a two-car garage instead of a driveway space, bringing the front entrance closer to the street, amending the application to include a variance request for the additional floor area of the garage.

On October 25, 2023, Development and Design Review Staff reviewed the application and provided the applicant with the following direction:

Public Works Representative, Erika Senyk: Discussed stormwater and calculations with the applicant.

Building Official, Eric Martin: Noted floodplain requirements.

Associate Planner, Sean Sesanto: Informed the applicant that the driveway width would need to be reduced or they may request a minor modification. Mr. Sesanto also asked the applicant to provide written justification for the variance request for floor area. He also discussed the zoning code design review criteria, and provided department recommendations on how the project could better meet criteria involving privacy, site massing, front landscaping, and the streetscape.

Following the Development and Design Review meeting, the applicant filed a Minor Modification request for the driveway, provided written justification for the Minor Modification and floor area variance related to the garage, and submitted revised plans that modified the front landscaping. Relevant Design Review Criteria are covered further in the report.

**Development Standards:** The following table outlines the zoning code requirements for development in the MU-N zoning district. The applicant is seeking the approval of a Variance for the floor area, a Minor Modification for the maximum driveway width, and exception requests for the rear and side setbacks.



Development Standards							
Building Height							
MU-N Regulation			Proposed				
27 ft.		27 ft.					
Floor Area Ratio (FAR)							
				Proposed			
Lot size			1,700 sq. ft.				
Maximum Floor Area Ratio			100% (Max 1,700 sq. ft.)				
First Story Floor Area			421 sq. ft. Living space 486 sq. ft garage				
				Garage Exemption			
				of garage counts toward FAR			
Second Story Floor Area			Internal: 84				
•			Deck: 164	sq. ft.			
				Deck Exemption			
Third Story Floor Area			Internal: 38				
Tatal CAD			Deck: 31 s				
Total FAR			,	1,936 sq. ft.) FAR Variance d for 236 sq. ft.			
Setbacks			requesto	3 101 200 30. II.			
	N	IU-N		Proposed			
Front Yard 1st Story	Min: 0 ft. from			10 ft. from curb			
Front Yard 2 <sup>nd</sup> Story	ft. from curb	o, Wi	nicnever is	10 ft. from curb			
Front Yard 3 <sup>rd</sup> Story	Max: 25 ft.			20 ft. 10 in. from curb			
Side Yard 1st Story				North: 0 ft.			
	400/ 1-4	1 -4	:- 4 - 00 4	South: 0 ft.			
O' L. W. Lond O'	10% lot width	2 in	width 29 ft.	Exception Request			
Side Yard 2 <sup>nd</sup> Story	Width			North: 0 ft. South: 0 ft.			
		2 ft.	11 in. min.	Exception Request			
Side Yard 3 <sup>rd</sup> Story	1			North: 0 ft.			
				Exception Request			
				South: 8 ft. 7 in.			
Rear Yard 1st Story	20% parcel		depth 57 ft.	10 ft. 1 in.			
	depth for residential	5 in		Exception Requested			
Rear Yard 2 <sup>nd</sup> Story	uses	11 ft. 6 in. mi		10 ft. 1 in.			
Rear Yard 3 <sup>rd</sup> Story	- 4		-	Exception Requested 12 ft. 10 in.			
Parking							
1,501 – 2,000 sq. ft.: 2 spaces 1	Required		Proposed				
covered	2 spaces tota	 al	2 spaces to	otal			
	1 covered		2 covered				
	1 uncovered		0 uncovered				
<b>Underground Utilities: Requi</b>	ired with 25%	incre	ease in area	a Required			

**Discussion:** 417 Capitola Avenue is located across from City Hall and close to Capitola Village. The site is adjacent to tightly spaced residential uses of varied heights and architecture. The wider surroundings also include several public facilities and small commercial uses. As with most other properties on this block, the subject property is small and narrow relative to typical lots citywide. The

application would replace an existing single-story retail structure (Baash) with a 1,936 square-foot, three-story residence.

<u>Design Permit</u>: The proposed single-family home exhibits a contemporary architectural design with flat, overhanging roofs and decks, floor-to-ceiling windows, and concrete accents. On the front elevation, relief in the massing is provided with a recessed entry and inset upper-story decks. Floors are differentiated with use of thick stucco bands. Exterior finish patterns vary between elevations, using combinations of board-form concrete, wood board, and metal. The proposed design complements adjacent current construction and recent projects in the vicinity along Capitola Avenue.

<u>Design Review Criteria:</u> When considering design permit applications, the city 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 #3.

- 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: Several of the more recent renovations and new construction projects in the immediate vicinity follow a similar contemporary style. As a neighborhood, the nearby developments display a blend of original architecture, historic buildings, and contemporary architecture. The proposed building fits with the mix of architectural styles.
- C. <u>Historic Character</u>. <u>Renovations and additions respect and preserve existing historic structures</u>. <u>New structures and additions to non-historic structures reflect and complement the historic character of nearby properties and the community at large</u>. Staff Comment: 421 and 425 Capitola Avenue to the north are historic structures and located within the Riverview Historic District. The subject property is not located within the historic district boundary and does not abut properties with historic structures.
- E. Pedestrian Environment. The primary entrances are oriented towards and visible from the street to support an active public realm and an inviting pedestrian environment.

  Staff Comment: During the Development and Design Review meeting, staff suggested enhancing the front landscape area with permanent decorative site features such as fixed seating, low masonry planters of garden walls, or similar improvements to create an active, pedestrian-friendly street frontage. Subsequently, the applicant revised the landscaping to include additional low-growing vegetation and two small trees around the front patio and entry area.
- F. Privacy. The orientation and location of buildings, entrances, windows, doors, decks, and other building features minimize privacy impacts on adjacent properties and provide adequate privacy for project occupants.

  Staff Comment: The property behind the project has an upper-story deck at the property line. Staff suggested frosted glass be used in the large rear-facing windows on the second and third stories. The project proposes frosted glass treatment to the large second-story bedroom window, the second-story laundry and kitchen room windows, and one large third-story window located between the top landing and master bathroom. Rear windows without treatment include the large second story hallway windows, and the third-story hallway window next to the landing.

- G. Safety. The project promotes public safety and minimizes opportunities for crime through design features such as property access controls (e.g., placement of entrances, fences), increased visibility and features that promote a sense of ownership of outdoor space. Staff Comment: There is an existing utility pole located on the front corner of the property adjacent to the driveway. Staff have concerns about the safety of the approach into the driveway relative to the utility pole. Staff requested the applicant provide a diagram showing that the driveway approach will work for a standard-size vehicle prior to the Planning Commission meeting. The diagram will be circulated as additional material prior to the meeting.
- H. Massing and Scale. The massing and scale of buildings complement and respect neighboring structures and correspond to the scale of the human form. Large volumes are divided into small components through varying wall planes, heights, and setbacks. Building placement and massing avoids impacts to public views and solar access.
  Staff Comment: During the Development and Design Review meeting, staff suggested reducing the third-story massing by shortening the projecting roof over the top-level deck. The roof overhang was not modified and reflects the original design.
- M. Landscaping. Landscaping is an integral part of the overall project design, is appropriate to the site and structures, and enhances the surrounding area.
  Staff comment: During the Development and Design Review meeting, staff suggested enhancing the front landscape area with permanent decorative site features such as fixed seating, low masonry planters of garden walls, or similar improvements to create an active, pedestrian-friendly street frontage. Subsequently, the applicant revised the landscaping to include a front patio surrounded by additional low-growing vegetation and two Japanese maple trees.
- O. Open Space and Public Places. Single-family dwellings feature inviting front yards that enhance Capitola's distinctive neighborhoods.

  Staff comment: The front yard has been designed as a functional and attractive setting, featuring a patio seating area with natural vegetation staggered between the residence, patio, and street. The project design was revised to bring the entrance closer to the street, reduce the second-story cantilever, and enhance the landscaping along the street.

<u>Floodplain Management:</u> The subject property is located within a Special Flood Hazard Area, Zone AE, as defined by the Federal Emergency Management Agency (FEMA). Projects within flood zones are subject to all applicable floodplain management provisions of Chapter 15.20. The applicant has submitted an elevation certificate showing a site base flood elevation (BFE) of 19.6 feet with an existing grade that ranges between 17.9 feet to 18.5 feet. The project has been designed to elevate the first-story bedroom and bathroom above the flood elevation level in compliance with floodplain building standards.

<u>Setback Exception</u>: The new structure is proposed within the required side and rear setbacks, as identified in the development standards table above. Pursuant to Table 17.20-3[3], the Planning Commission may reduce front, side, and rear setback requirements for properties fronting Capitola Avenue north of the trestle up to and including 431 Capitola Avenue. This standard was added to the code due to the existing buildout along the sidewalk and the small, shallow lots along this section of Capitola Avenue. The setback exceptions do not require a variance or specific findings be made, so the Planning Commission should consider whether the request(s) result in a project that is compatible within the Mixed-Use Neighborhood district and is consistent with applicable design review criteria.

<u>Variance:</u> The applicant is requesting a variance to exempt an additional 236 square feet of the garage from the floor area calculation. Due to the substandard lot size, the zoning code exempts up to 250 square feet of a garage from the floor area. The proposed garage is 486 square feet, which would make

236 square feet applicable under this variance request. It is also worth noting that the existing 1,360 square foot retail structure requires five parking spaces while providing none on the site. Overall parking demand on the site will decrease.

Pursuant to §17.128.060, the Planning Commission may grant a variance when it finds:

A. There are unique circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, that do not generally apply to other properties in the vicinity or in the same zone as the subject property.

Staff Analysis: The lot is small by Capitola standards, closer to a half-lot in terms of floor area. The property is also irregular in shape with angled front, side, and rear lot lines. The property is also located within a flood zone, which limits new development of habitable space below the base flood elevation. The ground-floor hallway is located below the base flood elevation, and although counted as a part of the heated space and the floor area ratio, is prohibited from being habitable. Although the code exempts up to 250 square feet of garage area for small lots such as 417 Capitola Avenue, the subject property has a larger two-car garage to meet its full parking requirements.

- B. The strict application of the zoning code requirements would deprive the subject property of privileges enjoyed by other property in the vicinity or in the same zone as the subject property. Staff Analysis: Numerous properties within the vicinity and/or same zoning district have limited front setbacks but do not provide covered parking or the full amount of required parking. The subject property has limited adequate space for both parking and driveway access. Development standards and design considerations of the MU-N zone also suggest structures should be located along the street frontage with parking areas away from the public view and primary entrances should be oriented towards and visible from the street to support an active public realm and an inviting pedestrian environment. The applicant is seeking a variance to the floor area for the enclosed second parking space in an effort to comply with zoning standards and design considerations.
- C. The variance is necessary to preserve a substantial property right possessed by other property in the vicinity or in the same zone as the subject property.

Staff Analysis: Numerous properties within the vicinity and/or same zoning district have limited front setbacks but do not provide covered parking or the full amount of required parking. The subject property has limited adequate space for both parking and driveway access. Development standards and design considerations of the MU-N zone also emphasize forward massing along the street with parking areas away from the public view. Granting a variance for the floor area enables the subject property to bring the structure massing towards the street, limit open parking area in the front yard, and still meet all parking requirements.

- D. The variance will not be materially detrimental to the public health, safety, or welfare, or be injurious to the property or improvements in the vicinity or in the same zone as the subject property.
  - Staff Analysis: The project involves a single-family residence and will not negatively impact the public, properties, or improvements in the vicinity or in the same zone as the subject property.
- E. The variance does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity or in the same zone as the subject property.
  - Staff Analysis: There are several R-1 and MU-N zoned properties in the vicinity that exceed the maximum allowed floor area ratio, even after accounting for garage floor area credits due to lot size. Several properties behind the subject property exceed their allowed FAR, including two on Blue Gum Avenue and another on Riverview Avenue. A mixed-use structure at 411 Capitola Avenue also exceeds the maximum allowed FAR.

F. <u>The variance will not have adverse impacts on coastal resources.</u>
Staff Analysis: The project does not impact nearby coastal resources.

Minor Modification: Pursuant to CMC §17.20.040(F), the driveway may have a width up to 40 percent of the lot width, for a maximum width of 20 feet. Unlike residential zones that allow a driveway width of 14 feet regardless of lot width, the MU-N zoning district does not specify a minimum allowed driveway width. The subject property has a lot width of 24-feet, five-inches, for a maximum allowed driveway width of 9-feet, 9-inches. The applicant is proposing a width of 10-feet, 7-inches, which deviates less than ten percent from the development standard.

Pursuant to §17.136.060, the Planning Commission may grant a minor modification that deviates up to ten percent from a physical development standard when it finds:

- A. The modification will be compatible with adjacent structures and uses and is consistent with the character of the neighborhood or district where it is located.
   Staff Analysis: The proposed 10-foot, seven-inch driveway is compatible with the immediate surroundings and provides a minimum necessary width for a functioning driveway.
- B. <u>The modification will not adversely impact neighboring properties or the community at large.</u>
  Staff Analysis: The proposed deviation will not reduce offsite parking and will improve vehicle movement and transition to and from the street.
- C. The modification is necessary due to unique characteristics of the subject property, structure, or use.

Staff Analysis: The portion of Capitola Avenue is known for small, narrow properties that warrant additional flexibility regarding dimensional standards. Lot limitations along this portion of Capitola Avenue are already acknowledged in the zoning code, which allows reduced setbacks without the approval of a variance or minor modification. Driveway width limitations are directly related to unique lot dimensions and granting a deviation would enhance driveway function and traffic flow.

- D. The modification will be consistent with the purpose of the zoning district, the general plan, local coastal program, and any adopted area or neighborhood plan.
   Staff Analysis: The proposed minor modification allows for a driveway that is consistent with residential driveways in Capitola.
- E. The modification is consistent with the general plan, local coastal program, and any applicable specific plan or area plan adopted by the city council.
   Staff Analysis: The modification is consistent with the general plan and local coastal program.
- F. The modification will not establish a precedent.

  Staff Analysis: A 10-foot, seven-inch wide driveway will not establish a precedent or special privilege. The driveway is comparable to or narrower than many properties along Capitola Avenue that have driveways.
- G. <u>The modification will not adversely impact coastal resources.</u>
   Staff Analysis: The proposed driveway and minor modification will not impact coastal resources.

**CEQA Determination:** Section 15303 of the CEQA Guidelines exempts the construction of small facilities or structures, including a single-family residence in a residential zone, or up to three single-family residences in in an urbanized area. The proposed project includes the construction of a new residential structure which includes one ADU in the R-1 (Single-Family Residential) zoning district.

#### **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. With approval of a Variance for the garage floor area, a Minor Modification for the maximum driveway width, and exception requests for the rear and side setbacks, the proposed single-family residence complies with the applicable development standards of the MU-N (Mixed Use Neighborhood) zoning district.

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 single-family residence. With approval of a Variance for the garage floor area, a Minor Modification for the maximum driveway width, and exception requests for the rear and side setbacks, the proposed single-family residence will comply with, 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 the construction of small facilities or structures, including a single-family residence in a residential zone, or up to three single-family residences in in an urbanized area, and is subject to Section 753.5 of Title 14 of the California Code of Regulations. This project involves a new single-family residence in an urbanized area, located within the MU-N (Mixed Use Neighborhood) 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 all reviewed the application for the single-family residence. The contemporary design maintains the character of the neighborhood, which has a variety of traditional and modern architectural styles. The project complies with height standards for the zone and is similar in scale to nearby developments on Capitola Avenue.

#### **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 417 Capitola 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 417 Capitola Avenue. 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 a single-family residence and will not negatively impact low-cost public recreational access.

E. The project maintains or enhances opportunities for visitors.

The project involves a single-family residence and will not negatively impact visitor serving opportunities.

F. The project maintains or enhances coastal resources.

The project involves a single-family residence 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 MU-N (Mixed Use Neighborhood) zoning district.
- 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 on an existing commercial lot. The proposed project is consistent with the LCP goals for appropriate coastal development and land uses. The residential use is consistent with allowed uses of the MU-N (Mixed Use Neighborhood) zoning district.

# **Variance Findings:**

A. There are unique circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, that do not generally apply to other properties in the vicinity or in the same zone as the subject property.

Staff Analysis: The lot is small by Capitola standards, closer to a half-lot in terms of floor area. The property is also irregular in shape with angled front, side, and rear lot lines. The property is also located within a flood zone, which limits new development of habitable space below the base flood elevation. The ground-floor hallway is located below the base flood elevation, and although counted as a part of the heated space and the floor area ratio, is prohibited from being habitable. Although the code exempts up to 250 square feet of garage area for small lots such as 417 Capitola Avenue, the subject property has a larger two-car garage to meet its full parking requirements.

B. The strict application of the zoning code requirements would deprive the subject property of privileges enjoyed by other property in the vicinity or in the same zone as the subject property.

Staff Analysis: Numerous properties within the vicinity and/or same zoning district have limited front setbacks but do not provide covered parking or the full amount of required parking. The subject property has limited adequate space for both parking and driveway access. Development standards and design considerations of the MU-N zone also suggest structures should be located

along the street frontage with parking areas away from the public view and primary entrances should be oriented towards and visible from the street to support an active public realm and an inviting pedestrian environment. The applicant is seeking a variance to floor area for the enclosed second parking space in an effort to comply with zoning standards and design considerations.

C. The variance is necessary to preserve a substantial property right possessed by other property in the vicinity or in the same zone as the subject property.

Staff Analysis: Numerous properties within the vicinity and/or same zoning district have limited front setbacks but do not provide covered parking or the full amount of required parking. The subject property has limited adequate space for both parking and driveway access. Development standards and design considerations of the MU-N zone also emphasize forward massing along the street with parking areas away from the public view. Granting a variance for the floor area enables the subject property to bring the structure massing towards the street, limit open parking area in the front yard, and still meet all parking requirements.

D. The variance will not be materially detrimental to the public health, safety, or welfare, or be injurious to the properties or improvements in the vicinity or in the same zone as the subject property.

Staff Analysis: The project involves a single-family residence and will not negatively impact the public, properties, or improvements in the vicinity or in the same zone as the subject property.

- E. The variance does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity or in the same zone as the subject property. Staff Analysis: There are several R-1 and MU-N zoned properties in the vicinity that exceed the maximum allowed floor area ratio, even after accounting for garage floor area credits due to lot size. Several properties behind the subject property exceed their allowed FAR, including two on Blue Gum Avenue and another on Riverview Avenue. A mixed-use structure at 411 Capitola Avenue also exceeds the maximum allowed FAR.
- F. The variance will not have adverse impacts on coastal resources.

Staff Analysis: The property will not impact nearby coastal resources.

# **Minor Modification Findings:**

A. The modification will be compatible with adjacent structures and uses and is consistent with the character of the neighborhood or district where it is located.

Staff Analysis: The proposed 10-foot, seven-inch driveway is compatible with the immediate surroundings and provides a minimum necessary width for a functioning driveway.

B. The modification will not adversely impact neighboring properties or the community at large.

Staff Analysis: The proposed deviation will not reduce offsite parking and will improve vehicle movement and transition to and from the street.

C. The modification is necessary due to unique characteristics of the subject property, structure, or use.

Staff Analysis: The portion of Capitola Avenue is known for small, narrow properties that warrant additional flexibility regarding dimensional standards. Lot limitations along this portion of Capitola Avenue are already acknowledged in the zoning code, which allows reduced setbacks without the approval of a variance or minor modification. Driveway width limitations are directly related to unique lot dimensions and granting a deviation would enhance driveway function and traffic flow.

D. The modification will be consistent with the purpose of the zoning district, the general plan, local coastal program, and any adopted area or neighborhood plan.

Staff Analysis: The proposed minor modification allows for a driveway that is consistent with residential driveways in Capitola.

E. The modification is consistent with the general plan, local coastal program, and any applicable specific plan or area plan adopted by the city council.

Staff Analysis: The modification is consistent with the general plan and local coastal program.

# F. The modification will not establish a precedent.

Staff Analysis: A 10-foot, seven-inch wide driveway will not establish a precedent or special privilege. The driveway is comparable to or narrower than many properties along Capitola Avenue that have driveways.

G. The modification will not adversely impact coastal resources.

Staff Analysis: The proposed driveway and minor modification will not impact coastal resources.

# **Conditions of Approval:**

- 1. The project approval consists of construction of a new 1,700 square-foot single-family dwelling. The maximum Floor Area Ratio for the 1,700 square foot property is 100% (1,700 square feet). The total FAR of the project is 100% with a total of 1,700 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 January 18, 2024, except 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 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, all Planning fees associated with permit #23-0330 shall be paid in full.
- 7. Prior to issuance of 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.
- 8. 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.
- 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.

- 10. 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).
- 11. 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.
- 12. 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.
- 13. 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.
- 14. 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.
- 15. Prior to issuance of building permits, submit a utility plan and sidewalk improvement plan that shows the location of utility vaults, proposed curb cut, cross slope, running slope and elevation of the driveway.
- 16. Prior to issuance of building permits, submit construction plans showing the area to be used for scaffolding etc. during construction of the 2nd and 3rd story to ensure necessary OSHA clearances from power lines are met.
- 17. 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.
- 18. 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.
- 19. 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.
- 20. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.

- 21. 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.
- 22. 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.
- 23. At the time of building permit application for construction within the floodplain or floodway, the applicant shall provide a No Rise Study, performed by a licensed engineer, in which verification of the structure's impact on the floodplain or floodway is provided.
- 24. Elevation certificates shall be provided at the following stages of construction: 1) prior to building permit issuance; 2) at the time of rough frame inspection; and 3) prior to the finalization of the building permit. The certificates shall be prepared by a licensed engineer or surveyor. The certificate shall document that all residential occupancies are constructed above the Base Flood Elevation (BFE) as per the latest edition of the FEMA Flood Insurance Rate Map.

# Attachments:

- 1. 417 Capitola Avenue Plan Set
- 2. 417 Capitola Avenue Exception Requests
- 3. Design Permit Review Criteria

Report Prepared By: Sean Sesanto

Associate Planner

Reviewed By: Austin Westly, Deputy City Clerk

Approved By: Katie Herlihy, Community Development Director





# City of Capitola Variance Application Form

RECEIVED

OCT 3 2023

CITY OF CAPITOLA

# **Variance Summary**

Please explain your Variance request and the development standard(s) which you would like to modify.

WE ARE SEEKING, A VARIANCE TO ALLOW FOR THE RAPAGE S.F. TO NOT COUNT TOWERDS FAR, BELOND THE 200 SF. CREDIT.

# **Required Findings**

Please provide the reasons you believe the following findings can be made to support your Variance request. Note any special circumstances related to your property, including lot size, dimensions, shape, structure, topography, and/or a historic structure. Attach additional pages as necessary.

A. There are unique circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, that do not generally apply to other properties in the vicinity or in the same zone as the subject property.

THIS LOT MARROW AND SMALLER THAN OTHER IN THEADER.

THE SHAPE OF THE LOT IS STAKLED IN THE FRONT DUE TO

THE WEDGE SHAPE.

B. The strict application of the zoning code requirements would deprive the subject property of privileges enjoyed by other property in the vicinity or in the same zone as the subject property.

STRICT APPLICATION OF THE ZOMING CODE WOLLD RESULT PARKING IN ONE SPACE BEIMG UNCOYETED. THE CODE ALSO PREFFELS
THE BUILDING MASSING TO BE CLESSE TO THE STREET.

C. The variance is necessary to preserve a substantial property right possessed by other property in the vicinity or in the same zone as the subject property.

THIS YARRANCE WIGULD ALOW THIS PROPERTY TO HOVE THE SAME PARKING SETUP AS THE NEIGHBORING PROPERTY. ZEHCLOSED SPACES.

D. The variance will not be materially detrimental to the public health, safety, or welfare, or be injurious to the property or improvements in the vicinity or in the same zone as the subject property.

THIS VAPIANCE WOULD NOT BE DETRIMENTAL TO PUBLIC

HEALTH, SAFETY, OR WELFARE, INFROT THE VARIANCE WOULD

BE SEFER THAN CURRENT CODE, AS THE PARKING SPACES ARE

REGISTHER FROM THE STREET.

E. The variance does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity or in the same zone as the subject property.

THIS VARIANCE MUDGES THIS PROPERTY TO HAVE THE SAME OR SIMILAR RIGHTS AS OTHER PROPERTIES IN THE AREA.

F. The variance will not have adverse impacts on coastal resources.

THIS YERIPKEE WOULD NOT HAVE ADVERSE IMPACTS ON



# City of Capitola Minor Modification Application Form

OCT 3 2023

CITY OF CAPITOLA

# **Minor Modification Summary**

THE MINOR MODIFICATION REGINEST PO TO ALLOW A DRIVENIAY WIDTH GREWER THAN YOU

Please explain your Minor Modification request and the development standard(s) which you would like to modify.

OF THE LOT WIDTH [FRONTINSE] OR 9'-9" THE DEVELOPMENT STANDARD ALLOWS FOR
A DEVIATION OF UPTO TENTERCENT AS AMINOR MODIFICATION WHICH IS 10'-9". WE APER PROPOSING 10'-7" TO ALLOW FOR BETTOR ACCESS.
WE Apre Proposing 10-7" 10 Allow for Batton Access.  Required Findings
Please provide the reasons you believe the following findings can be made to support your Minor Modification request. Note any special circumstances related to your property, including lot size, dimensions, shape, structure, topography, and/or a historic structure. Attach additional pages as necessary.
A. The modification will be compatible with adjacent structures and uses and is consistent with the character of the neighborhood or district where it is located.
THE LOT IS A SMALLER THAN TYPICAL LOT WHINN THE MIXED USE ZONE. WHIL
THE SMANDE PRONTAGE @ 40% - 9'-9" WOULD BE LESS THAN THE REDIS
PARKING REQ'S. PER Approperate LEHIWIAR ACCES 10'-7" WILL BE LECOPTABLE.
B. The modification will not adversely impact neighboring properties or the community at large.
BOTH NEACHBORING PROPORTIONS HAVE WIDER UTAHICULAR ACCESS, ACCEPTABLE
FOR TWO SIDE BY SIDE FARRING SPACES.
C. The modification is necessary due to unique characteristics of the subject property, structure, or use.
YES, DUT TO THE NAPPON AND SMAUER LOT WIDTH & SIZE.

D. The modification will be consistent with the purpose of the zoning district, the general plan, local coastal program, and any adopted area or neighborhood plan.
TES. MINOR MODIFICATION DEVIATION OF 10%.
E. The modification is consistent with the general plan, local coastal program, and any applicable specific plan or area plan adopted by the city council.
(Els.
F. The modification will not establish a precedent.
THE MODIFICACION IS CONSISCENT WITHTERE DEVELOPMENT STANDARDS
G. The modification will not adversely impact coastal resources.
COPPECT.



417 CAPITOLA AVE CAPITOLA CA 95010













01/08/2024

CAPITOLA

RESIDENCE

417 CAPITOLA AVE

CAPITOLA CA 95010

architects + builders 512 Capitola Ave + Capitola + California + 95010 fusearchitecture.com 831.479.9295

#### LOCATION MAP



FROM HIGHWAY IHEAD EAST ON BAY/PORTER .
TURN RIGHT ON CAPITOLA AVE PROPERTY IS ON RIGHT

#### VICINITY MAP



#### **GREEN BUILDING CODE COMMENTS**

SEE SHEETS 02.8.1 / 02.8.2

### APPLICABLE CODES & REGULATIONS

ENERGY CODE FIRE CODE GREEN BUILDING

RESIDENTIAL CODE

2019 CBC (2019 CALFORNIA BUILDING CODE, TITLE 24, PT 2)
2019 CEC (2019 CALFORNIA BLEITING L CODE, TITLE 24, PT 3)
2019 CHC (2019 CALFORNIA MECHANICAL CODE, TITLE 24, PT 4)
2019 CHC (2019 CALFORNIA PALHBIMON CODE, TITLE 24, PT 5)
2019 CHC (2019 CALFORNIA PALHBIMON CODE, TITLE 24, PT 5)
2019 CALFORNIA CALFORNIA PALBERO CODE, TITLE 24, PT 74, APPENDIX 8 & C)
2019 CALGERO (2019 CALFORNIA GEEN BUILDING)
2019 CHC (2019 CALFORNIA GEEN BUILDING)

## **DEFERRED SUBMITTALS**

SUBHITAL DOCUMENTS FOR DEFERRED ITEMS SHALL BE SUBMITTED TO THE ARCHITECT OR ENGINER OF RECORD WHO SHALL BRIVEN THEM AND FORWARD TO THE BUILDING OFFICIAL WITH A NOTATION BROCKATION. THAT THE DEFERRED DOCUMENTS HAVE BEEN REVIEWED AND THAT THE HAVE BEEN BOOK AND THAT THE DEFERRED DOCUMENTS HAVE BEEN REVIEWED AND THAT THE HAVE BEEN AS THE RESIDENCE OF THE BUILDING OFFICIAL THE DESION AS SUBMITTAL DOCUMENTS HAVE BEEN ASPROVED BY THE BUILDING OFFICIAL STATES.

THE ENGINEER(S) RESPONSIBLE FOR THE DESIGN OF THE DEFERRED SUBMITTAL ITEMS SHALL STAMP AND SIGN THOSE DRAWINGS AND CALCULATIONS FOR WHICH HEISHE IS RESPONSIBLE.

JOB COPIES OF THE BUILDING & FIRE SYSTEMS PLANS & PERMITS MUST BE ON-SITE DURING INSPECTIONS.

## FIRE NOTES

I. THESE PLANS ARE IN COMPLIANCE WITH CALIFORNIA BUILDING AND FIRE CODES (2019 EDITION)

1. THEE FANS ARE IN COPPLIANCE WITH CAUFORNA BUILDING AND RECODES (2019 EDITION)
AND ELOCAL RESIDERTAL PROMOPENTS.
2. SHOKE ALARMS SHALL BE NOTALLED ACCORDING TO THE FOLLOWING MINIPUM REQUIREMENTS:
- CHE ALARMA MAJORATIT DE AND SHEEMING AREA
- CHE AT THE TOP OF EACH STARWAY OF 2°F RES OR GREATER AND IN AN ACCESSIBLE
LOCATION OF LODGE.
- CHE AT THE TOP OF EACH STARWAY OF 2°F RES OR GREATER AND IN AN ACCESSIBLE
LOCATION OF LODGE.
- THEE SHALL BE A HINNEAD OF ONE SHOKE ALARMIN IN REST MEMBERS AREA
- CARBON MINOADE ALARMS SHALL BE RATIFICATION OF THE OFFICE ALARMIN ON COLONING TO THE FOLLOWING
INFORMATION OF THE STAR OF THE ST

#### BFEC

### OMB No. 1660-0008 Expiration Date: November 30, 2018 **ELEVATION CERTIFICATE**

		TION A - PROPERTY	INFORMATION			FOR INSUI	RANCE COMPA
A1. Building Ow BOMBORA LLC	ner's Name					Policy Num	ber:
A2. Building Stre Box No. 419 Capitola Ave		duding Apt., Unit, Sui	le, and/or Bldg. No.)	or P.O. Route	and	Company h	IAIC Number:
City			State Califor	nia		ZIP Code	
A3. Property De APN: 035-131-20		nd Block Numbers, Ta			on. etc.)		
A4. Building Use	(e.g., Residen	dal, Non-Residential,	Addition, Accessory	etc.) Resi	dential		
A5. Latitude/Lon	ghude: Lat. 3	6 58 28.68	Long122 57 13.62	Hori	contal Detu	TK NAD	1927 X NAD
A6. Attach at lea	st 2 photograp	ha of the building if th	e Certificate is being	used to obtain	food insu	ance.	
A7. Building Dies	gram Number	7 ~					
		page or endosum(s):					
		space or enclosure(s)		960 597			
N. Number o	Locarmonard D	od openings in the or	mademana or ancions			a Second on	de accons
		penings in A8.b 266				ooparon go	4.00000
		es? Tyes Fit					
			Wo .				
AQ. For a building	with an attact	red garage:					
a) Square fo	otage of attach	ed garage	pq pq	n			
b) Number o	f permanent fi	ood openings in the at	tached garage within	1.0 foot abov	e adjacent	grade	
c) Total net	arwa of flood or	onnings in A9.b		nin			
6 Pertenne	d Freed records	os? □Yes □!					
of Edman	io rece opinii	de:   100   1	***				
	51	CTION B - FLOOD	INSURANCE RATI	MAP (FIRM	) INFORM	ATION	
		Community Number	B2. Count Santa Cou				B3. State
Capitola City of /	060354		Santa Cru	Z			CA
84. Map/Panel Number	B5. Suffix	B6. FIRM Index Date	B7. FIRM Panel Effective/ Revised Date	B8. Flood Zone(s)	89.	Base Flood E Zone AO, us	Sevation(s) e Base Flood D
0352	E	08-15-1984	05-15-2012	AE	19.6		
	source of the	Base Flood Elevation	(BFE) data or base	Sood depth en	tered in Itee	n 89:	

☐ CBRS ☐ OPA

MPORTANT: In these spaces, copy the corresponding information from Section A. FOR INSURANCE COMP				E COMPANY		
Building Street Address (including Apt., Unit, Suite 419 Capitola Avenue	, and/or Bldg. No	a.) or P.O. R	oute and Box No.		Number:	
City	State		P Code	Company NAIC Number		
Capitola	CA	V 95				
SECTION C - BUILDI	ING ELEVATIO	N INFORM	ATION (SURVEY I	REQUIR	ED)	
C1. Building elevations are based on:   'A new Elevation Certificate will be required.	when construction	on of the buil	ding is complete.			hed Construct
<ol> <li>Elevations – Zones A1–A30, AE, AH, A (with Complete litems C2.a-h below according to</li> </ol>	the building diag	nam specifie	d in Item AT. In Pue	NAE, AS no Rico	VA1-A30, onler	ARIAH, ARIAG meters.
Benchmark Utilized: occur		Vertical Datus				
Indicate elevation datum used for the elevati		hrough h) be	low.			
☐ NGVD 1929 [2] NAVD 1988 ☐ Deturn used for building elevations must be t		constitution that	nee	_		
Described to belong elevations rice; be i	CHE SHALL BY CHE	CONTRACTOR COM	ere.	Ch	eck the me	sasurement u
<ul> <li>a) Top of bottom floor (including basement,</li> </ul>	crawlspace, or e	inclosure flor	×)	18.5	foot	meters
b) Top of the next higher floor				27.5	# feet	meters
c) Bottom of the lowest horizontal structural	member (V Zon	es only)			[] feet	meters
d) Attached garage (top of slab)					☐ feet	moters
<ul> <li>e) Lowest elevation of machinery or equipm (Describe type of equipment and location</li> </ul>	nent servicing the in Comments)	building		83	( feet	moters
f) Lowest adjacent (finished) grade next to	building (LAG)			17.9	f feet	☐ meters
g). Highest adjacent (finished) grade next to	building (HAG)			38.5	[4] feet	☐ meters
h) Lowest adjacent grade at lowest elevation structural support	n of deck or stak	s, including		16.5	( feet	meters
SECTION D - SURV	FYOR FNGIN	FER OR AL	SCHITECT CERTI	FICATIO	es .	
This certification is to be signed and scaled by a i certify that the information on this Certificate rep- statement may be punishable by fine or imprison	ment under 18 L	efforts to int	supret the data avos oction 1001.	fishle. I co	ndenitand	that any false
I certify that the information on this Certificate rig statement may be punishable by fine or imprisors Were latitude and longitude in Section A provided	ment under 19 L d by a licensed is	offorts to se US. Code, So and surveyor	supret the data avos oction 1001.	fiible. Fo	Check her	that any falsa re if attachmen
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### PROJECT DESCRIPTION

DEMOLITION OF EXISTING COMMERCIAL BUILDING. CONSTRUCTION OF A NEW 3 STORY RESIDENTIAL SINGLE FAMILY HOME WITH 3 BEDROOMS AND 3.5 BATHROOM WITH 2 COVERD ON SITE PARKING SPACES.

### PROJECT INFORMATION

APN: 035 - 131 - 04 ZONING: RESIDENTIAL COMMERCIAL GENERAL PLAN: STORIES:3

#### SETBACKS:

MAX HEIGHT ALLOWED: 27 FEET MAX HEIGHT PROPOSED: 26'-10 1/4"

#### EAR:

SEE SHEET A4

### CONTACT INFORMATION

ARCHITECT: FUSE ARCHITECTS, INC. GOMEZ OR TOWNSEND 512 CAPITOLA AVENUE CAPITOLA, CA 95010 831-479-9295 WWW.FUSEARCHITECTURE.COM

STRUCTURAL ENGINEER: REDWOOD ENGINEERING CONTACT: LEONARD WILLIS 1535 SEABRIGHT AVE SANTA CRUZ, CA 95062 (831) 426-8444 www.redwoodengineering.net

SURVEYOR: ALPHA LAND SURVEY CONTACT: BRODIE FRENCH 4444 Scotts Valley Dr #6, Scotts Valley, CA 95066, France Lividor Estados Unidos CITY, STATE ZIP (831) 438-4453 www.alpha-surveyors.com/

### DRAWING INDEX

# ARCHITECTURAL SHEET NAME PROPOSED THIRD/ROOF FLOOR PLAN PROPOSED THIRDINGOF PLOOR PLAN PROPOSED LIGHTING FLOOR PLAN PROPOSED ELEVATIONS 01 PROPOSED ELEVATIONS 02

#### **EXCEPTIONS INFORMATION**

EXEPTIONS REQUESTED:

- ENCROACHMENT OF SIDE YARD SETBACKS.
- ENCROACHMENT OF REAR YARD SETBACKS. GARAGE CREDIT 400SF.

SETBACKS STUDY 0 SETBACKS STUDY 02

Project Submittal Record

01 01/02/2024

Seal/ Signature



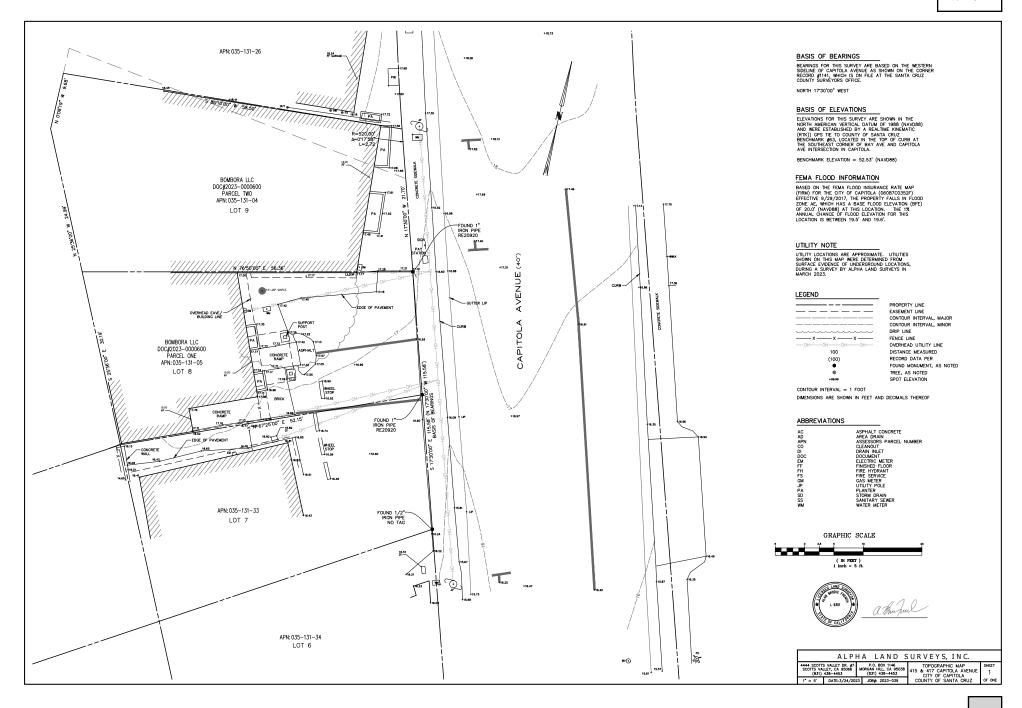
417 CAPITOLA AVENUE

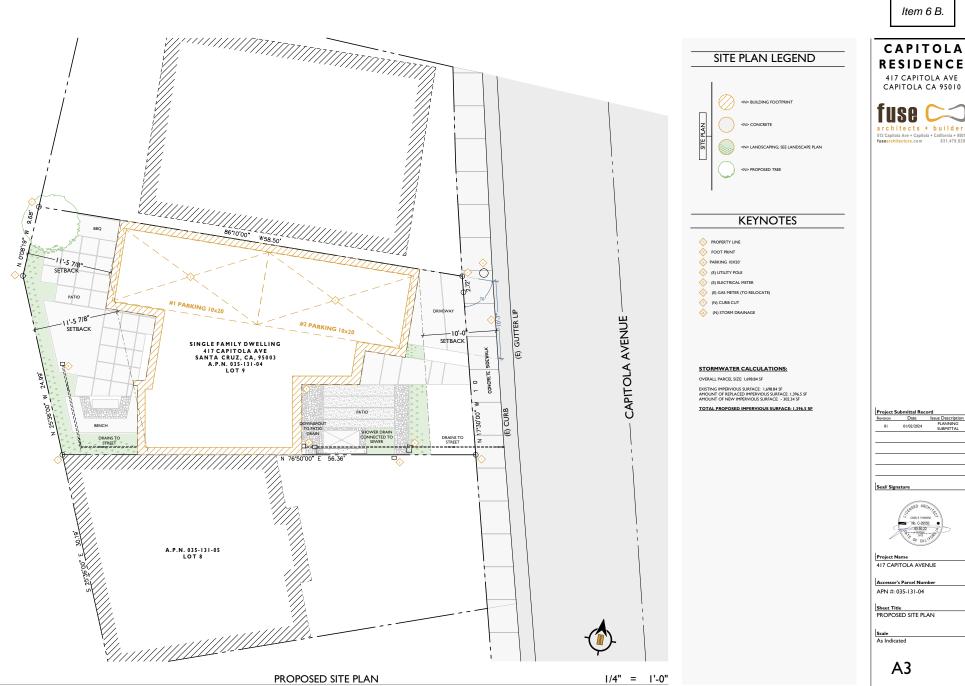
Accessor's Parcel Number APN #: 035-131-04

Sheet Title PROIECT INFO

As Indicated

ΑI





**CAPITOLA** RESIDENCE

architects + builders
512 Capitola Ave + Capitola + California + 95010
fusearchitecture.com 831.479.9295



### LANDSCAPE GENERAL NOTES

PRILIMINARY LANDSCAPE PLAN SHOWN WITH PLANTING PLAN, INCLUDING LOCATION, OMMON AND BOTANICAL NAME, CONTAINER SIZE & QUANTITY. CONSISTENT WITH THE CITY'S TATER EFFICIENCY LANDSCAPE ORDINANCE (WELD), ADDITIONALLY SHOWN ARE EXTERIOR LIGHTING, FENCES, WALLS, SCREENING, EXISTING TREES AND VEGETATION AS REQUIRED BY THE LIST OF ITEMS REQUIRED FOR SUBMITTAL.

2. PLEASE NOTE THAT THE PROPOSED (CONCEPTUAL / PRELIMINARY) LANDSCAPE PLAN SHOWN 12. DATE HE OFFICE THAT THE BE PROPOSED (CONCEPTUAL! PRELIMINARY) LANDSCAPE RUAN SHOWN ON THIS SHEET INTERIOR SELECTIONS THAT THAE INTO CONSIDERATION WILCOLS RANTING SELECTIONS THAT TAKE INTO CONSIDERATION WILCOLS RATE AS TATILD SELECTIONS AS NATIVE, DROUGHT-TOLERANT, AND LOW-WARE USE. AS AS PRICABLE. TO A PRINTING HE SHALL BE BONGHIST TOLERANT AS DEFINED BY THE WATER USE CLASSIFICATION OF LANSCAPE SHALLES. NATIVE PLANTS ADAPTED TO THE LOCAL CLIMATE ASE PREFERRED. FOR COME 177, DESCRIPTION OF LANSCAPE SHALLES.

WITH CONSIDERATION OF THE CITY'S BMP / LID REQUIREMENTS - PROPOSED DISCONNECTED DOWNISPOUTS TO DISCHARGE INTO LANDSCAPING WHERE POSSIBLE; AS MARKED ON THIS SHEET AS WELL AS SHEET ALD / "COMES SHEET, SITE MAP.

5. PLEASE NOTE THAT SELECT PLANTS MAY BE OMMITTED BASED ON OWNERS DESCRETION.

6. LANDSCAPE RAIN TO CORRESPOND WITH ALL WATER EFFICIANT LANDSCAPE ORDINANCE REGULATIONS AS DESCRIBED WITHIN CITY GOLDEN.

REGULATIONS AS DESCRIBED WITHIN CITY GOLDEN.

BY AND SHALL BE IMPROVED AND WATER AND SHALL BE IMPROVED AND WATER AND SHALL BE IMPROVED AND WATER AND SHALL BE IMPROVED.

BY ANY STATE AND SHALL SHALL BE AND SHALL BE IMPROVED AND WATER AND SHALL BE IMPROVED AND SHALL BE IMPROVED AND SHALL BE AND SHALL BE IMPROVED AND S

7. PROJECT SITE IS GENERALLY FLAT, NO SIGNIFICANT GRADING FOR LANDSCAPE PROPOSED.

8. COMPLETE IRRIGATION PLAN TO BE IDENTIFIED WITHIN A DEFFERED SUBMITTAL AT THE TIME OF INSTALLATION. PLASE NOTE THAT ALL IRRIGATION PROJECTED TO BE OF MINIMAL NEED AS ALL PROPOSED PLANTS ARE DROUGHT RESISTANT.

10. STORMWATER MANAGEMENT: THE LANDSCAPE PLAN SHOWN INCORPORATES STORM WATER MANAGEMENT CONTROLS IN COMPLIANCE WIHT THE REGIONAL STATE WATER RESOURCES CONTROL BOARD.

11. PLANT GROUPINGS: WHERE IRRIGATION IS PROPOSED, PLANTS SHALL BE GROUPED IN SEPARATE HYDROZONES (IE: PLANTS WITHIN EACH IRRIGATION VALVE SHALL HAVE THE SAME WATERING REQUIREMENT).

12. WATERING SCHEDULE FOR PROPOSED IRRIGATION SYSTEM SHALL BE LIMITED TO THE HOURS

13. PLANT SPECIES SHALL BE SELECTED AND LOCATED SO THAT AT MATURITY THEY DO NOT INTERFERE WITH CIRCULATION OR SAFETY AND DO NOT CONFLICT WITH OVERHEAD LIGHTS OR LITILITY LINES

14. DEFERRED IRRIGATION SYSTEM TO BE DESIGNED TO AVOID RUNOFF, LOW HEAD DRAINAGE, OVERSPRAY AND OTHER SIMILAR CONDITIONS WHERE THE WATER FLOWS OUTSIDE OF THE LANDSCARED AREAS, IRRIGATION SYSTEMS SHALL FEATURE ALL LISTED REQUIREMENTS PER CMC 1772.069

#### SEE SITE PLAN FOR STORMWATER CALCULATIONS:

OVERALL PARCEL SIZE: 1 698 84 SE

EXISTING IMPERVIOUS SURFACE: 1,698.84 SF AMOUNT OF REPLACED IMPERVIOUS SURFACE: 1,396.5 SF AMOUNT OF NEW IMPERVIOUS SURFACE: 2,392.45 E TOTAL PROPOSED IMPERVIOUS SURFACE: 1,396.5 SF

#### LANDSCAPE PLANT LEGEND & WUCOLS INFORMATION

PL-01 E

PHORMIUM TENAX / NEW ZEALAND FLAX (BROAD LEAF GRASS)
WUCOLS CODE: P / WATER ALLOWANCE: LOW FIVE GALLON (5): APPROX. 8-10 PLANTS AS SHOWN ON PLAN LOMANDRA LONGIFOLIA - SPINY HEADED MAT RUSH WUCOLS CODE: P / WATER ALLOWANCE: LOW ONE GALLON (1): APPROX, 22 - 25 PLANTS AS SHOWN ON PLAN

PL - 02 PL-03

CORNUS FLORIDA - "WHITE FLOWERING DOGWOOD"
WUCOLS CODE: S / WATER ALLOWANCE: MODERATE / MEDIUM
FIVE GALLON: APPROX, ONE (1) TREE, AS SHOWN ON PLAN STRELITZIA NICOLAI - "BIRD OF PARADISE"
WUCOLS CODE: S / WATER ALLOWANCE: MODERATE / MEDIUM
RIFTEEN GALLON: APPROX, ONE (I) TREE AS SHOWN ON PLAN

DYMONDIA MARGARETAE - DENSE GROUND COVER WUCOLS CODE: Gc P / WATER ALLOWANCE: LOW SINGLE SQUARE FOOT FLAT: APPROX 100 FLATS AS NEEDED FOR COVERAGE

PL - 06 PL - 07

MIN OF FIVE TO TEN GALLON: APPROX, 12 - 20 PLANTS AS NOTED ACER PALMATUM VAR. ATROPURPUREUM (BLOODGOOD)
WUCOLS CODE: P / WATER ALLOWANCE: MEDIUM
RIVE GALLON: APPROX, 2 TREES, AS NOTED

PL - 08

FICUS PUMILA (CREEPY FIG) WUCOLS CODE: P / WATER ALLOWANCE: MEDIUM ONE GALLON: APPROX, 2-4 PLANTS, AS NOTED

## SITE PLAN LEGEND

<N> ASSORTED STONE COBBLES <E> SIDEWALK N> CONCRETE PAVERS / FLATWORK <N> LANDSCAPING AS NOTED



PHORMIUM TENAX / NEW ZEALAND FLAX (BROAD LEAF GRASS)

**KEY NOTES** 

PROPOSED TREE

(N) FIRE PIT (N) BENCH

(N) BBQ (N) OUTDOOR DINING ROOM

(N) CURB CUT



LOMANDRA LONGIFOLIA - SPINY HEADED MAT RUSH WUCOLS CODE: P / WATER ALLOWANCE: LOW ONE GALLON (I): APPROX. 12 - 25 PLANTS AS NOTED



CORNUS FLORIDA - "WHITE FLOWERING DOGWOOD"
WUCOLS CODE: S / WATER ALLOWANCE: MODERATE / MEDIUM
FIFTEEN GALLON: APPROX, ONE (I) TREE, AS NOTED



STRELITZIA NICOLAI - "BIRD OF PARADISE"
WUCOLS CODE: S / WATER ALLOWANCE: MODERATE / MEDIUM
FIVE GALLON: APPROX, S-10 PLANTS AS NOTED

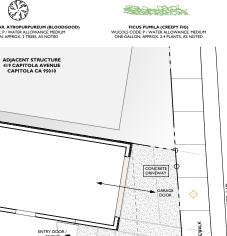


DYMONDIA MARGARETAE - DENSE GROUND COVER WUCOLS CODE: Gr. P. / WATER ALLOWANCE: LOW SINGLE SQUARE FOOT FLAT: APPROX 200 FLATS AS NOTED





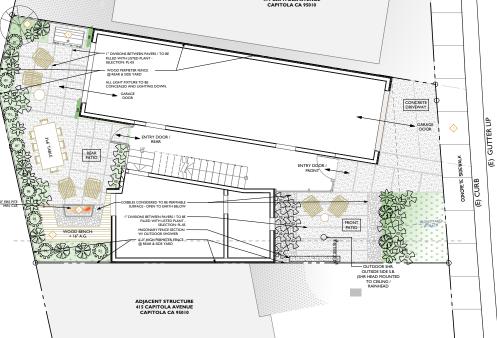




3D IMAGE OF DESIGN INTENT / 02



3D IMAGE OF DESIGN INTENT / 01



PROPOSED LANDSCAPE PLAN

# CAPITOLA RESIDENCE 417 CAPITOLA AVE



architects + builders 512 Capitola Ave + Capitola + California + 95010 fusearchitecture.com 831.479.9295

Project Submittal Record

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417 CAPITOLA AVENUE

Accessor's Parcel Number APN #: 035-131-04

PROPOSED LANDSCAPE

As Indicated

A4

CAPITOLA

AREA CALCS FIRST FLOOR

1/4" = 1'-0"

# PROPOSED SQ FT (FIRST FLOOR)

	ROOM NAME	ROOM #	AREA
FIRS	T FLOOR		
	STAIRS	000	38.5
	ENTRY	001	130.1
	BEDROOM	002	177.2
	BATH	003	64.9
	GARAGE	004	486.0
			896.7 ft <sup>2</sup>

### PROPOSED SQ FT (SECOND FLOOR)

200111111	20011	4054
ROOM NAME	ROOM #	AREA
SECOND FLOOR		
DECK		164.0
DINING	101	136.6
LIVING	102	142.8
KITCHEN	103	229.8
LAUNDRY	103	27.2
POWDER	104	29.7
BEDROOM	105	165.3
BATH	106	64.8
HALL	107	34.0
		994.2 ft <sup>2</sup>

#### PROPOSED SQ FT (THIRD FLOOR)

	ROOM NAME	ROOM #	AREA
Th	IIRD FLOOR		
Т	DECK		31.1
	BATH	202	106.0
	BEDROOM	203	200.7
	HALL	203	38.7
	CLOSET	204	29.8

406.3 ft<sup>2</sup>

SITE SF: 1700 SF FAR MAX ALLOWED: 1/1 = 1.00 SITE AREA: 1700 SF FAR PROPOSED = 0.947 (1616.1 SF)

### FLOOR AREA TOTAL CALCS

DOOM NAME

ROOM NAME	ROOM #	AREA
FIRST FLOOR		
STAIRS	000	38.5
ENTRY	001	130.1
BEDROOM	002	177.2
BATH	003	64.9
GARAGE	004	486.0
SECOND FLOOR		
DECK		164.0
DINING	101	136.6
LIVING	102	142.8
KITCHEN	103	229.8
LAUNDRY	103	27.2
POWDER	104	29.7
BEDROOM	105	165.3
BATH	106	64.8
HALL	107	34.0
THIRD FLOOR		
DECK		31.1
BATH	202	106.0
BEDROOM	203	200.7
HALL	203	38.7
CLOSET	204	29.8

2,297.2 ft<sup>2</sup>

#### FIRST FLOOR:

Livable: 410.7 sf
Garage: 486 sf

Total: 896.7 sf.

Minus Garage Credit 486 sf

Total Counted towards FAR 410.7sf

### SECOND FLOOR:

Livable:830.2 sf Deck: 164 sf

# THIRD FLOOR:

Livable: 375.2 sf

Deck: 31.1 sf

1616.1 sf livable



AREA CALCS SECOND FLOOR

DECK

AREA CALCS THIRD FLOOR 1/4" = 1'-0" RESIDENCE 417 CAPITOLA AVE CAPITOLA CA 95010



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417 CAPITOLA AVENUE

Accessor's Parcel Number

APN #: 035-131-04

Sheet Title
AREA CALCULATIONS

Scale As Indicated

**A5** 



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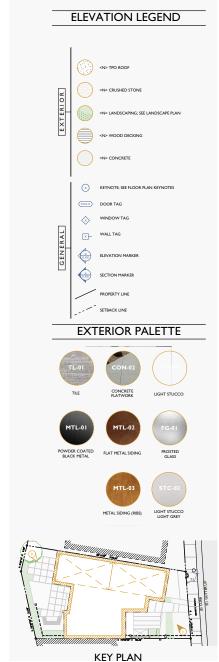


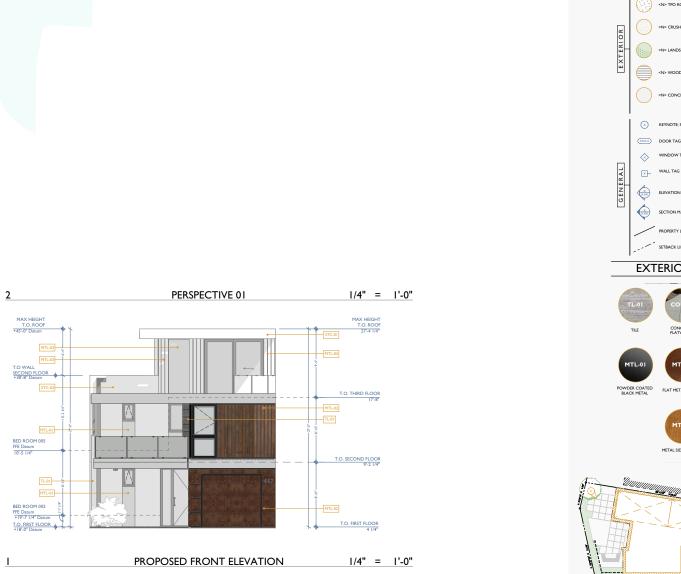
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417 CAPITOLA AVENUE

Accessor's Parcel Number





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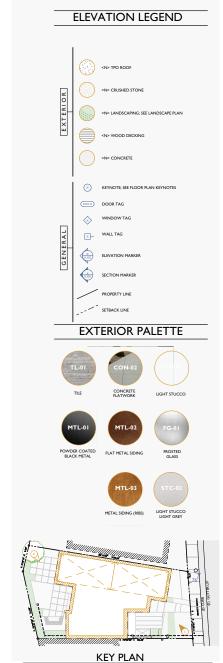
Project Name 417 CAPITOLA AVENUE

Accessor's Parcel Number
APN #: 035-131-04

Sheet Title
PROPOSED ELEVATIONS 01

Scale As Indicated

AI0





PERSPECTIVE 02 1/4" = 1'-0"MAX HEIGHT T.O. ROOF 27'-0" T.O WALL SECOND FLOOR +38'-6" Datum T.O. THIRD FLOOR FG-01 FG-01 BED ROOM 005 FFE Datum +28'-5 1/4" Datum T.O. SECOND FLOOR 8'-10" BED ROOM 002 FFE Datum +19"-7 1/4" Datum T.O. FIRST FLOOR +18"-0" Datum

PROPOSED REAR ELEVATION

1/4" = 1'-0"

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Project Name 417 CAPITOLA AVENUE Accessor's Parcel Number

APN #: 035-131-04

Sheet Title
PROPOSED SECTIONS

Scale As Indicated

AI2











PROPOSED NEIGHBORHOOD CONTEXT

 Project Submittal Record

 Revision
 Date
 Issue Description

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 01/02/2024
 PLANNING SUBMITTAL

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Project Name 417 CAPITOLA AVENUE

Accessor's Parcel Number APN #: 035-131-04

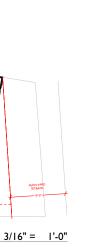
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NEIGHBORHOOD CONTEXT

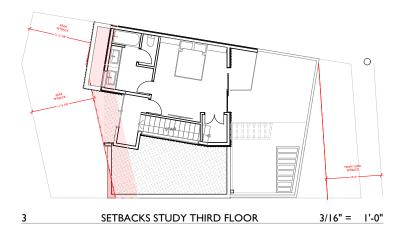
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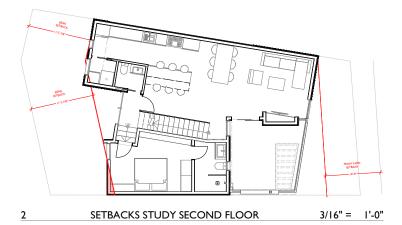
AI3





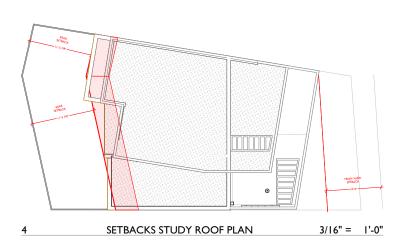






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SETBACKS STUDY FIRST FLOOR



**A14** 

Scale As Indicated









OI REAR SETBACK 1/8" = 1'-0"

03 REAR SETBACK

1/8" = 1'-0"

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Project Name 417 CAPITOLA AVENUE

Accessor's Parcel Number APN #: 035-131-04

Sheet Title SETBACKS STUDY 02

Scale As Indicated

AI5

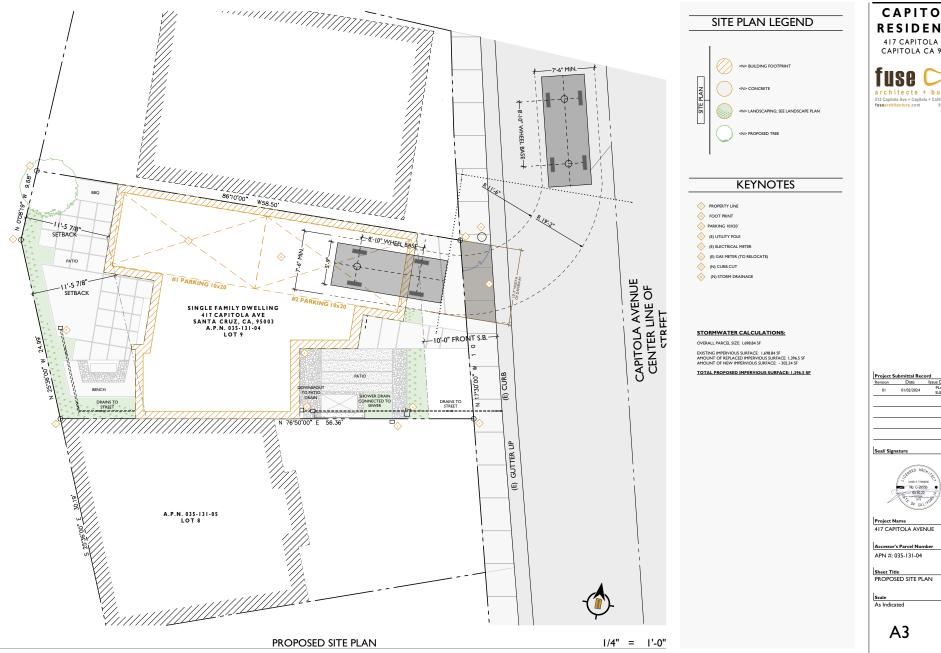
# **Design Permit Design Review Criteria**

<u>17.120.070 Design review criteria</u>. When considering design permit applications, the city 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.

- A. Community Character. The overall project design including site plan, height, massing, architectural style, materials, and landscaping contribute to Capitola's unique coastal village character and distinctive sense of place.
- B. Neighborhood Compatibility. The project is designed to respect and complement adjacent properties. The project height, massing, and intensity is compatible with the scale of nearby buildings. The project design incorporates measures to minimize traffic, parking, noise, and odor impacts on nearby residential properties.
- C. Historic Character. Renovations and additions respect and preserve existing historic structure. New structures and additions to non-historic structures reflect and complement the historic character of nearby properties and the community at large.
- D. Sustainability. The project supports natural resource protection and environmental sustainability through features such as on-site renewable energy generation, passive solar design, enhanced energy efficiency, water conservation measures, and other green building techniques.
- E. Pedestrian Environment. The primary entrances are oriented towards and visible from the street to support an active public realm and an inviting pedestrian environment.
- F. Privacy. The orientation and location of buildings, entrances, windows, doors, decks, and other building features minimizes privacy impacts on adjacent properties and provides adequate privacy for project occupants.
- G. Safety. The project promotes public safety and minimizes opportunities for crime through design features such as property access controls (e.g., placement of entrances, fences), increased visibility and features that promote a sense of ownership of outdoor space.
- H. Massing and Scale. The massing and scale of buildings complement and respect neighboring structures and correspond to the scale of the human form. Large volumes are divided into small components through varying wall planes, heights, and setbacks. Building placement and massing avoids impacts to public views and solar access.
- I. Architectural Style. Buildings feature an architectural style that is compatible with the surrounding built and natural environment, is an authentic implementation of appropriate established architectural styles, and reflects Capitola's unique coastal village character.
- J. Articulation and Visual Interest. Building facades are well articulated to add visual interest, distinctiveness, and human scale. Building elements such as roofs, doors, windows, and

porches are part of an integrated design and relate to the human scale. Architectural details such as trim, eaves, window boxes, and brackets contribute to the visual interest of the building.

- 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.
- L. Parking and Access. Parking areas are located and designed to minimize visual impacts and maintain Capitola's distinctive neighborhoods and pedestrian-friendly environment. Safe and convenient connections are provided for pedestrians and bicyclists.
- M. Landscaping. Landscaping is an integral part of the overall project design, is appropriate to the site and structures, and enhances the surrounding area.
- N. Drainage. The site plan is designed to maximize efficiency of on-site drainage with runoff directed towards permeable surface areas and engineered retention.
- O. Open Space and Public Places. Single-family dwellings feature inviting front yards that enhance Capitola's distinctive neighborhoods. Multifamily residential projects include public and private open space that is attractive, accessible, and functional. Nonresidential development provides semi-public outdoor spaces, such as plazas and courtyards, which help support pedestrian activity within an active and engaging public realm.
- P. Signs. The number, location, size, and design of signs complement the project design and are compatible with the surrounding context.
- Q. Lighting. Exterior lighting is an integral part of the project design with light fixtures designed, located, and positioned to minimize illumination of the sky and adjacent properties.
- R. Accessory Structures. The design of detached garages, sheds, fences, walls, and other accessory structures relates to the primary structure and is compatible with adjacent properties.
- S. Mechanical Equipment, Trash Receptacles, and Utilities. Mechanical equipment, trash receptacles, and utilities are contained within architectural enclosures or fencing, sited in unobtrusive locations, and/or screened by landscaping.



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