



AGENDA
CITY OF SEASIDE
PLANNING COMMISSION

MEETING
City Hall
440 Harcourt Avenue
Wednesday, June 24, 2020
7:00 PM

Pursuant to Governor Newsom's Executive Orders [N-29-20](#) and [N-33-20](#), and to do all we can to help slow the spread of COVID-19 (coronavirus) City of Seaside meetings will be adapted in the following ways:

- Meetings of the Seaside City Council and its Boards and Commissions will be conducted with virtual (electronic) participation only. Members of the public may watch the live stream of the City Council and Boards and Commission meetings at <https://bit.ly/SeasideYouTube>
- Members of the public may participate before and during each meeting by submitting comment(s) to cityclerk@ci.seaside.ca.us. The clerk will read each received public comment aloud into the record at the designated time, subject to time limits that may be imposed pursuant to the Brown Act. In the subject line of a public comment email, please specify the meeting body and date and indicate the relevant item number or "general" to help staff easily receive and organize public comments.

1. CALL TO ORDER

A. VIRTUAL MEETING INFORMATION:

This meeting is compliant with Governor Newsom's Executive Order N-29-20 which allows local legislative bodies to hold public meetings electronically only, without a physical location for public participation, accessible only telephonically or otherwise electronically (video conferencing) to all members of the public seeking to observe and address the local legislative body, in order to avoid public gatherings, and until further notice.

VIRTUAL MEETING ACCESS

- **You are strongly encouraged to observe the live stream of City Council and Boards and Commission meetings at <https://bit.ly/SeasideYouTube>**
- **If you wish to participate in the meeting live you can Join the Zoom Webinar Meeting. Click on this link: <https://us02web.zoom.us/j/83424069963>**

or copy and paste the link into your browser. If your computer does not have audio, you will also need to join the meeting via phone.

- **To participate via phone you can call the number below and enter the webinar ID number and password when prompted: (669) 900-9128 Webinar ID: 825 9694 8197**

REMOTE PUBLIC COMMENTS To make a public comment, the following options are available:

- **Before the Meeting via Email: Written comments can be emailed to CityClerk@ci.seaside.ca.us Include the following subject line: "Public Comment Item # (insert the agenda item number relevant to your comment). Written comments must be received by 5:00 p.m. on the day of the meeting. All submitted comments will be provided to the City Council or the Board for consideration, compiled as part of the record, and may be read into the record.**
- **During the Meeting via Oral Comments: When the Chair calls for public comment, attendees can queue to speak with the "Raise Hand" feature. On the Zoom application, click the "Raise Hand" button. On the phone, press *9. The Secretary to the Board will call speaker names and unmute speaker microphones. You will have up to 3 minutes to provide your comments, with time set by the discretion of the Mayor. Please note, if you chose to make comments orally, your written comments will not be read but will be included in the final record.**

In an effort to ensure the virtual process closely follows our normal

2. ROLL CALL - ESTABLISHMENT OF QUORUM

3. PLANNING COMMISSION

John Owens	Chair
Michael Spalletta	Vice Chair
Keith Dodson	Commissioner
Arlington La Mica	Commissioner
Dave Evans	Commissioner
William Silva	Commissioner
Danny Huynh	Commissioner

4. REVIEW OF AGENDA

If there are any items that arose after the 72-hour posting deadline, this is the point in the meeting where a vote may be taken to add the item to the agenda. (A 2/3-majority vote is required).

5. PUBLIC COMMENT

Members of the public wishing to address the City Council on matters within the jurisdiction of the City of Seaside, but not on this agenda, may do so during the Public Comment period for up to three minutes. Public Comments on specific agenda items are heard under that item. For the public record, please state your name.

6. APPROVAL OF MINUTES

A. May 13, May 27 & June 10, 2020

7. BUSINESS ITEMS

- A. USE PERMIT APPLICATION No. UP-20-05: EARLY DEVELOPMENT SERVICES, PROPERTY OWNER AND APPLICANT, IS REQUESTING A USE PERMIT FOR THE CONSTRUCTION OF A 960 SQUARE-FOOT ACCESSORY BUILDING FOR USE AS A CLASSROOM AND STORAGE FACILITY FOR AN EXISTING DAYCARE CENTER LOCATED AT 1405 LA SALLE AVENUE (APN# 011-081-026) IN THE RS-8 SINGLE FAMILY RESIDENTIAL ZONING DISTRICT. THE PROJECT IS CATEGORICALLY EXEMPT CLASS 3, SECTION 15303(c) FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

RECOMMENDATION: In accordance with Section 17.12.030.C of the Seaside Municipal Code (SMC), Table 2-1 (Allowed Land Uses and Use Permit Requirements for Residential Zones, a use permit is required for improvements made to a child daycare center.

City staff recommends approval of proposed project as submitted.

- B. FENCE EXCEPTION APPLICATION No. FE-20-01: SOFIA MATROSOVVA KHALIL, PROPERTY OWNER AND APPLICANT, IS REQUESTING A FENCE EXCEPTION TO ALLOW FOR A FIVE-FOOT HIGH FENCE WITHIN THE 15-FOOT FRONT YARD SETBACK LOCATED AT 1122 HARCOURT AVENUE (APN# 012-353-004) IN THE RS-12 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT. THE PROJECT IS CATEGORICALLY EXEMPT CLASS 3, SECTION 15303(e) FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

RECOMMENDATION: In accordance with Section 17.30.020.F of the Seaside Municipal Code (SMC), a fence or wall may exceed allowed height requirements subject to Planning Commission approval.

City staff recommends approval of the fence exception based on the required findings listed under Section 17.30.020.F.2 SMC.

- 8. REPORTS FROM COMMISSIONERS**
- 9. REPORTS FROM STAFF**
- 10. ADJOURNMENT**

Next Regularly Scheduled Meeting:

Seaside City Hall

The City of Seaside is committed to providing accessible facilities and accommodating people with disabilities in all of its services programs and activities. If special considerations are needed by any person to fully participate in this meeting, contact the City Clerk at 899-6707 no fewer than two business days prior to the meeting to allow reasonable arrangements. Agendas are posted at:
<http://www.ci.seaside.ca.us/129/City-Council-Committee-Agendas>

Agenda-related writings or documents provided during public meetings are available for public inspection during the meeting or from the office of the City Clerk. This agenda is posted in compliance with California Government Code Section 54954.2(a) or Section 54956.



DRAFT MINUTES

CITY OF SEASIDE
PLANNING COMMISSION

REGULAR MEETING
COUNCIL CHAMBER

Wednesday, May 13, 2020
7:00 PM

1. **CALL TO ORDER**

Meeting was called to order at 7:00 PM.

2. **ROLL CALL - ESTABLISHMENT OF QUORUM**

3. **PLANNING COMMISSION**

PRESENT: Dodson, Evans, La Mica, Spalletta, Silva Owens

NONE: Huynh

4. **REVIEW OF AGENDA**

No changes.

5. **PUBLIC COMMENT**

None.

6. **APPROVAL OF MINUTES**

A. APRIL 1ST AND APRIL 22, 2020

On motion by Commissioner Silva, seconded by Commissioner Dodson and passed by the following vote, the Planning Commission approve the minutes as presented.

RESULT:	Approved
AYES:	Dodson, Evans, La Mica, Spalletta, Silva Owens
NOES:	None
ABSENT:	Huynh

7. **BUSINESS ITEMS**

- A. MINOR USE PERMIT APPLICATION NO. MUP-20-01:William Kheiu, property owner, and David Vargas, Applicant, are requesting a Minor Use Permit to operate an indoor cannabis manufacturing business within Suite 21 of the professional office building generally located at 911-915 Hilby Avenue (APN# 012-5362-051) in the Community Commercial (CC) Zoning District. In accordance with the California Environmental**

Quality Act (CEQA), the project is Categorically Exempt Class 1, Section 15301(a).

Senior Planner Rick Medina presented the item outlining the site location and elements, surrounding land uses, the project description & specifications, planned business operations and compliance with the zoning and safety regulations. Mr. Medina outline the regulations for cannabis manufacturing including approval regulations. Applicants David Vargas and Pete Brazil spoke to their application and answered questions from the Board.

Public Comment: Jim Rinehart, Torie Phillips, Cesar Hernandez, Ann Parker, Edmundo Fimbres, Irma Alonzo, Mary Gamotan

The Commission discussed the proposed application for use at the property, but expressed concerns regarding the proximity of the facility to the Oldemeyer Center as a youth facility, as well operating a manufacturing process involving chemicals and a highly sought after product. They also believed that the use could impact the other businesses operating in that building, and suggested this process would fit better in a stand alone facility, or placed in an industrial zone. The Commission cited that the proposed layout was not adequate and that manufacturing and professional services should be separated. The project is also opposed by tenants of the property.

Mr. Medina clarified the definition of k-12 facilities and stated that there are no caps on the total number of manufacturing facilities, in the city but they are all approved individually.

On motion by Commissioner Silva, seconded by Commissioner Dodson and passed by the following vote, the Planning Commission denied the application on the basis that it i has proximity to a k-12 facility that it is incompatible with neighboring land uses, and does not protect the health safety and welfare of the community and requested staff to return with a resolution of denial incorporating the findings.

RESULT:	Approved
AYES:	Dodson, Evans, La Mica, Spalletta, Silva Owens
NOES:	None
ABSENT:	Huynh

8. REPORTS FROM STAFF

Economic Development Director Stearns reported on recent city financial impacts including related to COVID-19 including city hall closure, Rick Medina retirement and planning staff that has been laid off.

9. REPORTS FROM COMMISSIONERS

None.

10. ADJOURNMENT

Having no further business, the meeting was adjourned.

Respectfully submitted,

Lesley Milton-Rerig, City Clerk

John Owens, Chair



DRAFT MINUTES

CITY OF SEASIDE
PLANNING COMMISSION

REGULAR MEETING
COUNCIL CHAMBER

Wednesday, May 27, 2020
7:00 PM

1. CALL TO ORDER

Meeting was called to order at 7:00 PM.

2. ROLL CALL - ESTABLISHMENT OF QUORUM

3. PLANNING COMMISSION

PRESENT: Dodson, Evans, La Mica, Spalletta, Silva Owens

NONE: Huynh

4. REVIEW OF AGENDA

No changes.

5. PUBLIC COMMENT

None.

6. APPROVAL OF MINUTES

A. May 13, 2020

Action: Continued

7. BUSINESS ITEMS

- A. SEASIDE MUNICIPAL CODE AMENDMENT SMA-20-03 AND USE PERMIT APPLICATION NO. UP-20-03: SEASIDE AMERICAN LEGION POST# 591, PROPERTY OWNER, AND RA SMITH, APPLICANT, ARE REQUESTING A COMBINED DEVELOPMENT TO AMEND THE TEXT OF CHAPTER 17 OF THE SEASIDE MUNICIPAL TO ADD VEHICLE SERVICES MINOR AS A USE PERMIT IN THE REGIONAL COMMERCIAL (CRG) ZONING DISTRICT AND TO CONSTRUCT AN 8,192 SQUARE-FOOT RETAIL TIRE STORE AND A 2,999 SQUARE-FOOT BUILDING FOR THE AMERICAN LEGION POST #591. THE PROJECT SITE IS LOCATED AT 1000 PLAYA AVENUE (APN# 012-524-004 AND 011-524-009) IN THE CRG ZONING DISTRICT. IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), THE PROJECT IS CATEGORICALLY EXEMPT CLASS 32, SECTION 15332).**

Senior Planner Rick Medina presented the item outlining the site location and elements, surrounding land uses, the project description & specifications, planned business operations and compliance with the zoning and safety regulations. Mr. Medina outline the zoning regulations that would need to be changed to be in compliance with the current zoning code as well. The applicant team was present and answered questions from the Commission. The Commissioners asked questions regarding traffic impacts, questioning striping, lot queuing and the cumulative affect of this project with the recently approved Costco gas project that is adjacent to this property site. On question, the applicant responded that the project would only add 4 peak hour trips to the existing use, so no significant impact is anticipated. The Commission further questioned the landscaping to ensure it is compliant with water regulations as well as the current street condition of Playa avenue.

Public comment: Mike ward

The Commission spoke in support of the project and to the benefit it will bring to the property and the neighborhood. They spoke in support of how the architecture matches with the existing structures and will have a better overall look.

On motion by Commissioner Dodson and seconded by Commissioner Spalletta and passed by the following vote the Planning Commission adopted a resolution approving Use Permit Application No. UP 20-03 and adopted a resolution recommending to the Council to adopt Seaside Municipal Code Amendment SMA 20-03 for the construction of a retail tire store and building for the American Legion Post at 1000 Playa Avenue.

<i>RESULT:</i>	<i>Approved</i>
<i>AYES:</i>	<i>Dodson, Evans, Spalletta, Silva Owens</i>
<i>NOES:</i>	<i>None</i>
<i>RESCUED:</i>	<i>La Mica</i>
<i>ABSENT</i>	<i>Huynh</i>

B. MINOR USE PERMIT APPLICATION NO. MUP-20-01:William Kheiu, property owner, and David Vargas, Applicant, are requesting a Minor Use Permit to operate an indoor cannabis manufacturing business within Suite 21 of the professional office building generally located at 911-915 Hilby Avenue (APN# 012-5362-051) in the Community Commercial (CC) Zoning District. In accordance with the California Environmental Quality Act (CEQA), the project is Categorically Exempt Class 1, Section 15301(a).

This item was continued from the May 13th meeting with Commission direction to deny the application. Gloria Stearns, Community Development Director provided a brief overview recap of the application, speaking to the Commissioner comments and direction that included that use not consistent with general plan, and an inappropriate mix of uses in the same building, combustible material storage in close proximity to neighboring suites, the design, location size and operating characteristics of the proposed activity were incompatible, as well as the client safety in the hallways and parking lot could be impacted. Granting the permit would be detrimental to the public interest, health, safety, convenience and welfare to the community. And there was insufficient information about noise, vibration, fumes, or odors affecting adjoining businesses. She noted that the applicant requested a continuance of the item to allow the ability to work with staff to make

accommodations. Alternately, the Commission could adopt a resolution denying the application.

Chair Owens spoke to a recent local fire in a similar manufacturing facility and Commissioner Dodson also cited security concerns regarding money and open access.

PUBLIC COMMENT: Jim Rinehart, Pete Brazil

The Commission discussed allowing the applicant to make modifications to the proposal for rehearing.

On motion by None and seconded by None and passed by the following vote the Planning Commission continued the item until June 10th to allow the applicant the ability to revise the proposal taking into consideration the Commissioner's concerns.

<i>RESULT:</i>	<i>Approved</i>
<i>AYES:</i>	<i>Dodson, Evans, La Mica, Spalletta, Silva, Owens</i>
<i>NOES:</i>	<i>None</i>
<i>ABSENT</i>	<i>Huynh</i>

8. REPORTS FROM COMMISSIONERS

Commissioner Evans questioned the authority status of a new BBQ vendor at the American Legion site and requested staff to look into it. Commissioner Silva commented on the recently replaced pipe on Monterey Road noting the contractor did put in retaining wall and acknowledge there is no exposed pipe, which improves the look and safety of the site.

9. REPORTS FROM STAFF

None.

10. ADJOURNMENT

Having no further business, the meeting was adjourned.

Respectfully submitted,

Lesley Milton-Rerig, City Clerk

John Owens, Chair



DRAFT MINUTES

CITY OF SEASIDE
PLANNING COMMISSION

REGULAR MEETING
COUNCIL CHAMBER

Wednesday, June 10, 2020
7:00 PM

1. CALL TO ORDER

Meeting was called to order at 7:05 pm.

2. ROLL CALL - ESTABLISHMENT OF QUORUM

3. PLANNING COMMISSION

PRESENT: Dodson, Evans, La Mica, Spalletta, Silva
ABSENT: Owens, Huynh

4. REVIEW OF AGENDA

Items A and B were withdrawn by the applicants.

5. PUBLIC COMMENT

None.

6. APPROVAL OF MINUTES

A. MAY 13, 2020 AND MAY 27, 2020

Action: Continued

7. BUSINESS ITEMS

A. USE PERMIT APPLICATION NO. UP-20-04: THIS APPLICATION HAS BEEN WITHDRAWN. CITY OF SEASIDE, PROPERTY OWNER, AND MARINA COAST WATER DISTRICT, APPLICANT, ARE REQUESTING A USE PERMIT TO CONSTRUCT A NEW SEWER LIFT STATION. THE PROJECT SITE IS LOCATED AT 630 MONTEREY ROAD (APN# 031-051-023) IN THE RS-8 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT. IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), MARINA COAST WATER DISTRICT HAS ADOPTED A MITIGATED NEGATIVE DECLARATION FOR THE PROJECT.

Action: Application withdrawn from consideration by the applicant.

B. MINOR USE PERMIT APPLICATION NO. MUP-20-01: WILLIAM KHEIU, PROPERTY OWNER, AND DAVID VARGAS, APPLICANT, ARE REQUESTING A MINOR USE PERMIT TO OPERATE AN INDOOR CANNABIS MANUFACTURING BUSINESS WITHIN SUITE 21 OF THE PROFESSIONAL OFFICE BUILDING GENERALLY LOCATED AT 911-915 HILBY AVENUE (APN# 012-5362-051) IN THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT. IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), THE PROJECT IS CATEGORICALLY EXEMPT CLASS 1, SECTION 15301(A).

Action: Withdrawn from consideration at request of applicant.

C. DISCUSS MODIFICATIONS TO 2020-2021 WORK PLAN TO ADDRESS NEW BUDGET AND STAFFING CONSTRAINTS.

The Planning Commission reviewed their prior discussed and approved 2020-2021 Annual Work Plan, taking into account the recent impacts from COVID-19 including limited budget and staffing constraints. The Commission discussed the elements and agreed due to the loss of staffing, specific items be removed from the previously adopted work plan. However the Commission did agreed to add consideration of regulations pushing for flex space opportunities.

Public Comment: Alex Miller

Action: Approved

8. REPORTS FROM COMMISSIONERS

None.

9. REPORTS FROM STAFF

Ms. Stearns reported that the City Council will be hearing the proposed 2020-21 fiscal year budget at the June 11, 2020 City Council meeting.

10. ADJOURNMENT

Having no further business, the meeting was adjourned.

Respectfully submitted,

Lesley Milton-Rerig, City Clerk

John Owens, Chair



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 7.A.

TO: Planning Commission

FROM: Craig Malin, City Manager

BY: Rick Medina, Senior Planner

DATE: June 24, 2020

SUBJECT: USE PERMIT APPLICATION No. UP-20-05: EARLY DEVELOPMENT SERVICES, PROPERTY OWNER AND APPLICANT, IS REQUESTING A USE PERMIT FOR THE CONSTRUCTION OF A 960 SQUARE-FOOT ACCESSORY BUILDING FOR USE AS A CLASSROOM AND STORAGE FACILITY FOR AN EXISTING DAYCARE CENTER LOCATED AT 1405 LA SALLE AVENUE (APN# 011-081-026) IN THE RS-8 SINGLE FAMILY RESIDENTIAL ZONING DISTRICT. THE PROJECT IS CATEGORICALLY EXEMPT CLASS 3, SECTION 15303(c) FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PURPOSE & RECOMMENDATION

In accordance with Section 17.12.030.C of the Seaside Municipal Code (SMC), Table 2-1 (Allowed Land Uses and Use Permit Requirements for Residential Zones, a use permit is required for improvements made to a child daycare center.

City staff recommends approval of proposed project as submitted.

BACKGROUND

The project site is 55,181 square feet in area (1.26 acres) and is developed with an existing 160-student daycare center (dba Avondale Child Development Center). A use permit was issued on September 28, 2016 for the establishment of the existing daycare

center. The adjacent properties consist of single family detached dwellings to the east, south, and west with a church site to the north. A location map is provided as Attachment 2. Photographs of the project site are provided as Attachment 3. An aerial photograph of the project vicinity is provided as Attachment 4.

PROJECT DESCRIPTION

The project is for the construction of a one-story 940 square-foot utility building. The utility building will be used as a makerspace/support space for daily operations at Avondale Child Care facility. The structure will replace two metal shipping containers. The project plans are provided as Exhibit A to Attachment 1.

The exterior material will consist of cement board and batten siding with metal. The roof will slant from east to west with solar panels facing south. The height will be 14 feet on west side and 8 feet two inches on the east. Three nine-foot wide roll-up doors are proposed on the west, north and east sides with man-doors on each side of a roll-up door. The structure will be setback from the front and side properties. The existing fencing and landscaping will not be disturbed.

The hours of operation for the daycare center will remain from 7 AM to 5:30 PM Monday-Friday. The operation of the daycare center will continue to provide care for an average of 75 pre-school age children 7 AM and 2:30 PM with an additional 85 school age children (Grades 1-5) in the afternoon after 2:30 PM.

STAFF ANALYSIS

1) The proposed use is consistent with the General Plan and any applicable specific plan.

Seaside General Plan Conformance

The Seaside General Plan Land Use Designation for the project site is Low Density Residential. Accessory uses in residential area may include meeting facilities, churches, schools (Public and Private) and daycare facilities. The project would be consistent with the following General Plan Goals and Policies:

Land Use Element

Goal LU-4: Ensure that new development compliments existing land uses and enhances the character of the community and neighborhoods.

Policy LU-4.1: Require that all new development is compatible with surrounding uses, the site, and available infrastructure.

Evidence: *The facade for the accessory structure and its orientation to the open space area will improve the utilization and physical appearance of the site.*

Economic Element

Goal ED-1: Establish a diverse and balanced mix of businesses that will generate a stable, long-term stream of revenue to fund city services.

Policy ED-1.2: Encourage the full and efficient use of vacant and underutilized parcels in appropriately designated areas to support the development and expansion of targeted commercial facilities.

Evidence: *The replacement of the metal storage containers with a new, modern accessory building would allow for the full and efficient use of the entire site and would diversify the city's childcare services and childcare job opportunities for both pre-school and school age children.*

2) The proposed use is allowed within the applicable zone and complies with all other applicable provisions of this Zoning Ordinance and the Municipal Code.

Zoning Ordinance Conformance

This project is located within the RS-8 (Single Family Residential) Zoning District.

Evidence: *The proposed use will consist of an accessory structure that will be located within area of the site that will be used to support existing daycare center operations and will be screened from public view by an existing 8-foot tall fence and perimeter landscaping.*

3) The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and planned future land uses in the vicinity.

Evidence: *The size of the project site will be in compliance with the maximum limits set by the State of California of one student per 35 square feet of net building area (Net building area excludes bathrooms, hallways, storage rooms and offices) and 75 square feet per student for net exterior play area. The net building area for classroom instruction is 5,669 square feet which would allow for a maximum of students of 161 students. The net play area is 25,240 square feet which would allow for a maximum of 336 students. The project site would be designed to meet maximum occupancy requirements as required for the establishment of a licensed 160 student daycare center.*

4) The site is physically suitable for the type, density and intensity of use being proposed, including access, utilities, and the absence of physical constraints.

Evidence: *The project site is served by existing water, wastewater, and electrical infrastructure and facilities with adequate capacity to serve the proposed project.*

5) Granting the permit would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone district in which the property is located.

Evidence: *The granting of a use permit will not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other permitted uses in the vicinity or adverse to the public interest, health, safety, convenience, or welfare of the City.*

FISCAL IMPACT

ATTACHMENTS

1. Attachment 1 Draft Resolution
 2. Attachment 1 - Exhibit A Project Plans
 3. Attachment 2 - Location Map
 4. Attachment 3 - Site Photos
 5. Attachment 4 - Aerial Photo
-

RESOLUTION NO. 20-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE, STATE OF CALIFORNIA, APPROVING A USE PERMIT TO ALLOW FOR THE CONSTRUCTION OF AN ACCESSORY STRUCTURE FOR A 160 STUDENT DAYCARE CENTER AT 1405 LA SALLE AVENUE IN THE RS-8 ZONING DISTRICT.

WHEREAS, Early Development Services, property owner, and Adam Fanch, applicant have applied for a use permit to allow:

- A. The construction of a 960 square-foot accessory structure as a utility use for a child day care center for up to a maximum of 160 students within an existing 5,846 square-foot classroom building located at 1405 La Salle Avenue.

WHEREAS, the proposed project requires discretionary approval, and it is the responsibility of the Planning Commission to consider and weigh the merits of the application and public input in relation to the policies, standards and intent of the Seaside General Plan and Seaside Municipal Code; and

WHEREAS, the Seaside Planning Commission considered oral comments and written information concerning the proposed use permit at a duly noticed public hearing at public meeting held on June 24, 2020, and

WHEREAS, This project is exempt from the California Environmental Quality Act (CEQA) pursuant to Class 3, Section 15303(c) (New Construction). Class 3 consists of new construction meeting the following conditions:

Evidence: The proposed project would involve the construction of a 960-square-foot accessory building, which will be used as utility storage and classroom space. The proposed improvements would be exempt from further CEQA review as an addition of less than 2,500 square feet and will not exceed a cumulative square footage onsite of greater than 10,000 square feet.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission adopts the following findings for Use Permit Application No. UP-20-05:

1) The proposed use is consistent with the General Plan and any applicable specific plan.

Seaside General Plan Conformance

The Seaside General Plan Land Use Designation for the project site is Low Density Residential. Accessory uses in residential area may include meeting facilities, churches, schools (Public and Private) and daycare facilities. The project would be consistent with the following General Plan Goals and Policies:

Land Use Element

Goal LU-4: Ensure that new development compliments existing land uses and enhances the character of the community and neighborhoods.

Policy LU-4.1: Require that all new development is compatible with surrounding uses, the site, and available infrastructure.

Evidence: *The facade for the accessory structure and its orientation to the open space area will improve the utilization and physical appearance of the site.*

Economic Element

Goal ED-1: Establish a diverse and balanced mix of businesses that will generate a stable, long-term stream of revenue to fund city services.

Policy ED-1.2: Encourage the full and efficient use of vacant and underutilized parcels in appropriately designated areas to support the development and expansion of targeted commercial facilities.

Evidence: *The replacement of the metal storage containers with a new, modern accessory building would allow for the full and efficient use of the entire site and would diversify the city's childcare services and childcare job opportunities for both pre-school and school age children.*

2) The proposed use is allowed within the applicable zone and complies with all other applicable provisions of this Zoning Ordinance and the Municipal Code.

Zoning Ordinance Conformance

This project is located within the RS-8 (Single Family Residential) Zoning District.

Evidence: *The proposed use will consist of an accessory structure that will be located within area of the site that will be used to support existing daycare center operations and will be screened from public view by an existing 8-foot tall fence and perimeter landscaping.*

3) The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and planned future land uses in the vicinity.

Evidence: *The size of the project site will be in compliance with the maximum limits set by the State of California of one student per 35 square feet of net building area (Net building area excludes bathrooms, hallways, storage rooms and offices) and 75 square feet per student for net exterior play area. The net building area for classroom instruction is 5,669 square feet which would allow for a maximum of students of 161 students. The net play area is 25,240 square feet which would allow for a maximum of 336 students. The project site would be designed to meet*

maximum occupancy requirements as required for the establishment of a licensed 160 student daycare center.

4) The site is physically suitable for the type, density and intensity of use being proposed, including access, utilities, and the absence of physical constraints.

Evidence: *The project site is served by existing water, wastewater, and electrical infrastructure and facilities with adequate capacity to serve the proposed project.*

5) Granting the permit would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone district in which the property is located.

Evidence: The granting of a use permit will not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other permitted uses in the vicinity or adverse to the public interest, health, safety, convenience, or welfare of the City.

BE IT FURTHER RESOLVED, that the Planning Commission approves Use Permit Application No. UP-20-05 subject to the following conditions:

Project Specific

Planning:

1. Except as modified by required conditions of approval, plans submitted for a Certificate of Occupancy shall substantially conform to the plans identified as “Early Development Services” approved on June 18, 2020. The project plans are provided as Exhibit “A”.
2. Minor modifications to the use permit consistent with Seaside Municipal Code Section 17.54.090.C may be made subject to the review and approval by the Zoning Administrator and the Planning Commission if such modifications are in keeping with the intent of the original approval,
3. Signage is not a part of this review. The applicant shall apply for a separate sign permit for the installation of any permanent exterior or window signs. All signage shall conform to the regulations contained in Section 17.40 of the Seaside Municipal Code.
4. The operation of the daycare center must be operated in compliance with the child daycare licensing requirements regulated by the Department of Community Care Licensing with the State of California.

Fire Department:

1. Prior to the issuance of a building permit and/or Certificate of Occupancy, the applicant shall comply with the requirements of the Seaside Fire Marshall for the daycare facility in accordance with the 2019 California Building Code and 2019 California Fire Code of the California Code of Regulations.

Building Department:

1. Prior to the issuance of a building permit and/or Certificate Occupancy, the applicant shall comply with the requirements of the Seaside Fire Marshall for the daycare facility in accordance with the 2019 California Building Code and 2019 California Fire Code of the California Code of Regulations.

Public Works:

1. Prior to the issuance of a Building Permit, the applicant shall submit a storm water control plan for the retention of all storm water that results from the new accessory building.

Standard:

1. Use Permit approval is subject to revocation procedures contained in S.M.C.S. 17.69.060 in the event any of the conditions of this approval are violated, this discretionary permit was granted on the basis of false or misleading information, written or oral, given willingly or negligently by the applicant or property owner, and/or there has been a discontinuance of the use, or purposed for which the permit was issued, for a period of 180 days or more.
2. This Use Permit is subject to procedures and requirements of Chapter 17.54 (Permit Implementation, Time Limits, and Extensions), and those related to appeals and revocation in Article 6 (Zoning Ordinance Administration) of Title 17 of the Municipal.
3. The applicant agrees as a condition and in consideration of the approval of this discretionary permit that it will defend, indemnify and hold harmless the City of Seaside or its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul this approval. The applicant will reimburse the City for any court costs and attorney's fees, which the City may be required by a court to pay as a result of such action. City may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. The City shall promptly notify the applicant of any such claim, action, or proceeding, and the City shall cooperate fully in the defense thereof.
4. These conditions shall be binding on the applicant and all successors in interest, subject to the business operations not lapsing for a period 180 consecutive days. Failure to comply with this requirement may result in revocation of this use permit.
5. Any proposed future development shall comply with the requirements of the Fire, Health, Planning, Code Enforcement, Building and Public Works Departments.
6. The project shall comply with the requirements and the applicable ordinances of the Monterey Peninsula Water Management District (MPWMD).

7. The project shall be responsible for all applicable local and/or regional development and/or impact fees including, but not limited to, sewer, water, and traffic fees, which shall be paid prior to building permit issuance.
8. The permit shall have no force or effect unless and until accepted, and the terms thereof agreed to, in writing, by the applicant and property owner within fifteen (15) days from the date of its approval.
9. This Use Permit shall expire and become void 12 months from the date of approval, or upon the expiration of another time limit established by the review authority, unless use has commenced within the required time limit or the Zoning Administrator has granted an extension of time. In accordance with Section 17.54.080.B.1.a of the Zoning Code, the applicant must file request for time extension at least 30 days prior to expiration date in order to receive consideration of time extension by the Commission.
10. For purposes of assuring compliance, the applicant, agents, representatives or their assignees agree not to deny or impede access to the subject property by City employees in the performance of their duties.

PASSED AND ADOPTED at the regular meeting of the Planning Commission of the City of Seaside, State of California, on the 24th of June, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

John Owens, Chairperson

ATTEST:

Planning Commission Secretary

AVONDALE CHILD DEVELOPMENT CTR. - UTILITY BUILDING

EARLY DEVELOPMENT SERVICES, LLC

ABBREVIATIONS

(Note: This is a general abbreviation list and not all abbreviations apply to this project.)

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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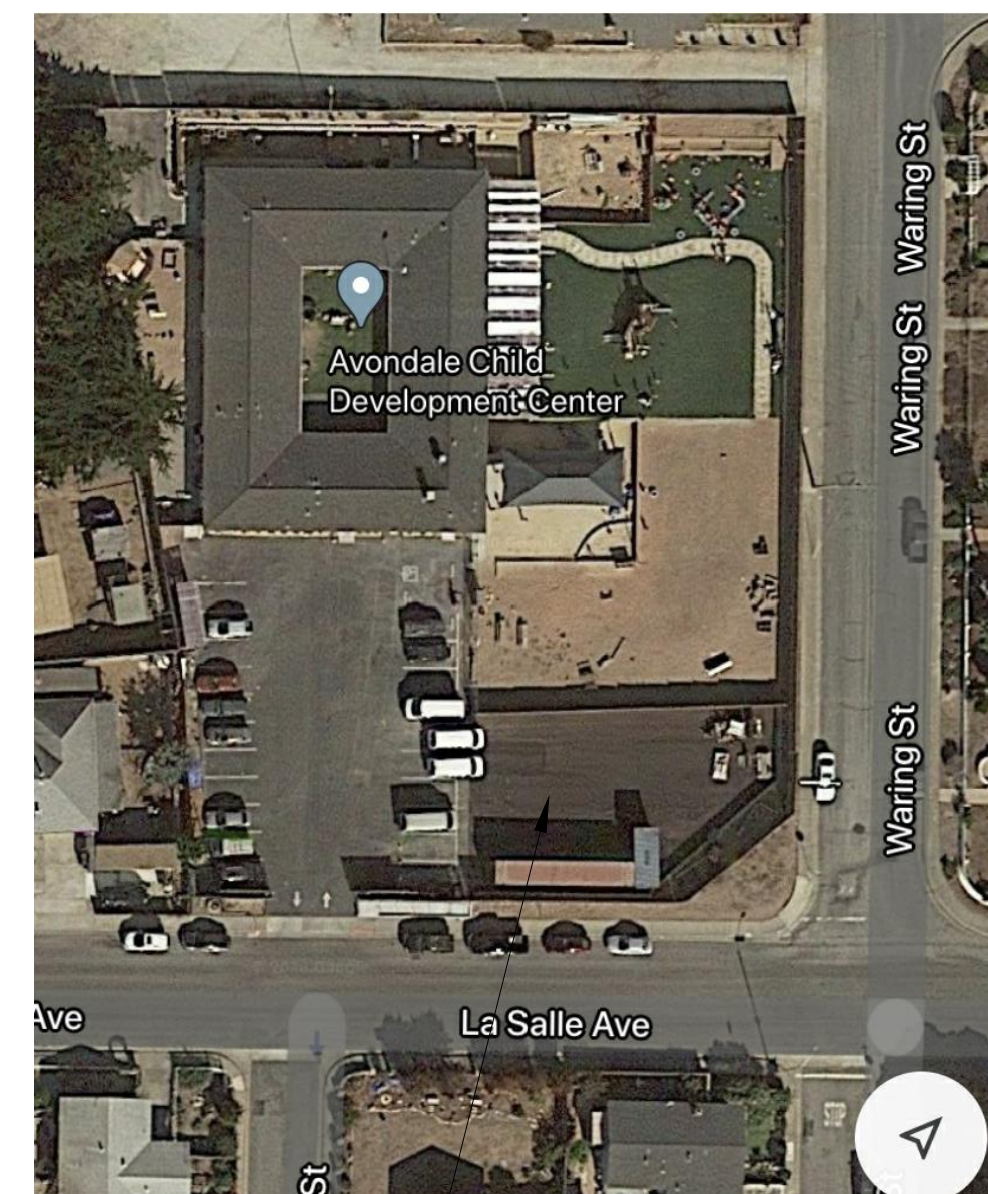
PROJECT NOTES

1. Drawings of an existing site conditions are intended to be used in aid to construction and cannot be assumed to be accurate in detail. Contractor shall check and verify all dimensions, elevations and conditions at the site before commencement of work and notify the Architect in writing of any discrepancies in plans and specifications before proceeding.
2. The documents describe design intent. Contractor is responsible to provide complete, operational systems and installations. No claims for additional work will be awarded for work which is described in these documents or which is reasonably inferable from them.
3. All dimensions, notes and details shown on a portion of a drawing shall apply typically to all opposite hand and/or similar conditions, U.O.N.
4. Dimensions are to center line of steel, face of concrete, center line of wood post, or face of wood framing, U.O.N.
5. Details shown are typical. Similar details apply to similar conditions.
6. Electrical, mechanical, and plumbing Design/Build subcontractors will be responsible for obtaining permits for their scope of work from the agencies having jurisdiction. Coordinate and verify the electrical and mechanical systems and equipment with the Architect prior to repair or removal.
7. Contractor is responsible for the thorough coordination of all trades. No claims for additional work will be awarded for work related to such coordination.
8. Store, handle, and dispose of construction materials and wastes properly, so as to prevent their contact with stormwater.
9. Control and prevent the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, washwater or sediments, and non-stormwater discharges to storm drains and watercourses.
10. Perform clearing and earth moving activities only during dry weather.
11. Limit construction access routes and stabilize designated access points.
12. Avoid tracking dirt or other materials offsite; clean off-site paved areas and sidewalks using dry sweeping methods.

DESCRIPTION

CONSTRUCTION OF A 940 SQ.FT UTILITY BUILDING FOR THE AVONDALE CHILD DEVELOPMENT CENTER. THE SHED IS A SUPPORT SPACE FOR DAILY OPERATIONS AT THE AVONDALE CHILD CARE FACILITY. A BATHROOM WILL BE LOCATED FOR FACILITY STAFF. THE PROPOSED STRUCTURE IS LOCATED ON AN EXISTING PAVED LOT. THE STRUCTURE WILL REPLACE TWO TEMPORARY SHIPPING CONTAINERS LOCATED ON THE PROPERTY.

VICINITY MAP



PROPOSED SITE

DIRECTORY

Owner:	Shannon Watkins Avondale Child Development Center	Telephone: T: (831) 393-2246 X101
Architect:	Adam Franch Development, Management, Architecture	Adam Franch T: (720) 219-2117 adam@dev-arc.com
Surveyor	Steven Wilson Monterey Bay Engineers	T: (831) 899-7899
Contractor:	TBD	TBD
Structural:	TBD	TBD
Mechanical:	TBD	TBD
Energy:	TBD	TBD

SHEET INDEX

ARCHITECTURAL

A0.0 COVER SHEET
S1.0 SITE SURVEY
A0.1 CODE SHEETS & ADA BATH
A1.0 SITE PLAN
A2.0 FLOOR PLAN, RCP, ROOF PLAN
A3.0 ELEVATIONS
A3.1 BUILDING SECTION & DETAILS
A4.0 WINDOW & DOOR SCHEDULE

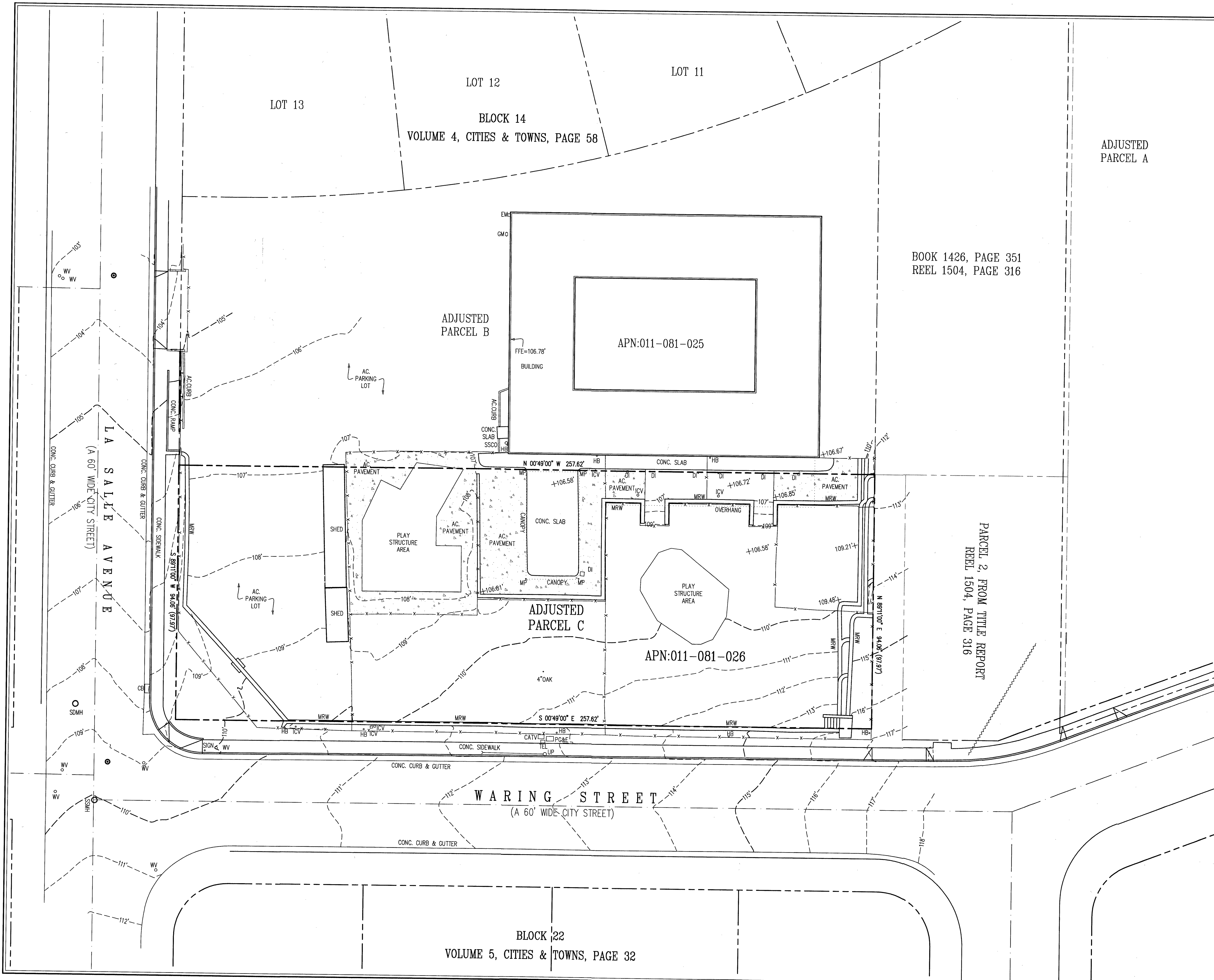
(PLANS NOT INCLUDED FOR PLANNING REVIEW)

S1.0 STRUCTURAL PLANS
M1.0 MECHANICAL DESIGN/BUILD PLANS
E1.0 ELECTRICAL DESIGN/BUILD PLANS
P1.0 PLUMBING PLANS

PROJECT DATA:

Project Location:	1405 LA SALLE SEASIDE CALIFORNIA
APN:	011-081-026 ADJUSTED PARCEL C
Zoning Code:	RS-8 Single Family Residential Use Permit - DAY CARE
Applicable Building Codes:	2019 California Building Standard Code —
Occupancy:	U - Utility Building
Construction Type	Type V- NS (not equipped with sprinkler system)
Lot Area	23,086 SF / .53 Acres
Building Area	960 SF
F.A.R.:	PROPOSED = 0.04 ALLOWED = 0.45
SETBACKS:	FRONT 15'-0" SIDE STREET 10'-0" SIDE YARD 5'-0" REAR 15'-0"
SITE COVERAGE:	EXISTING COVERAGE = 10,638 SF PROPOSED COVERAGE = 10,638 SF PROPOSED 46% LOT COVERAGE AREA ALLOWED 65% LOT COVERAGE AREA
HEIGHT LIMIT:	PROPOSED 14'-0" HEIGHT ALLOWED 24'-0" MAX. HEIGHT

[illegible]



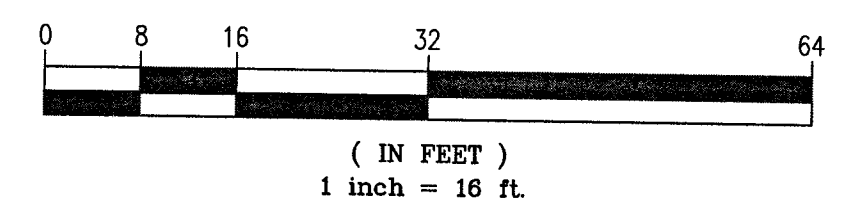
NOTES:

1. BOUNDARY LOCATIONS SHOWN HEREON WERE DETERMINED WITH THE BENEFIT OF A FIELD SURVEY SUPPLEMENTED BY RECORD DATA. ALL BOUNDARY DATA SHOWN ARE FROM THE RECORDS.
2. DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
3. ELEVATIONS SHOWN ARE BASED ON NGVD-29. THE BENCHMARK IS "CITY OF SEASIDE BM #84", A BRASS DISK ON THE SOUTHWESTERLY CURB RETURN AT INTERSECTION OF ORD GROVE AVENUE AND LUZERN STREET. ELEVATION = 152.76'.
4. CONTOUR INTERVAL = 1 FOOT.
5. $\pm 99.99'$ DENOTES GROUND ELEVATIONS AS SHOWN.
6. TREE TYPES ARE INDICATED WHEN KNOWN. DIAMETERS OF TREES ARE SHOWN IN INCHES.
6. $\bullet$ DENOTES A FOUND CONCRETE WELL MONUMENT.

LEGEND:

— x —	FENCE LINE
AC	ASPHALTIC CONCRETE
CATV	CABLE TV VAULT
CB	CATCH BASIN
CONC	CONCRETE
DI	DROP INLET
EM	ELECTRIC METER
FFE	FINISH FLOOR ELEVATION
GM	GAS METER
HB	HOSE BIB
ICV	IRRIGATION CONTROL VALVE
MRW	MASONRY RETAINING WALL
MP	METAL POST
PC&E	PORE VAULT
SDMH	STORM DRAIN MANHOLE
SSCO	SANITARY SEWER CLEAN OUT
SSMH	SANITARY SEWER MANHOLE
TEL	TELEPHONE VAULT
UP	UTILITY POLE
WV	WATER VALVE

GRAPHIC SCALE



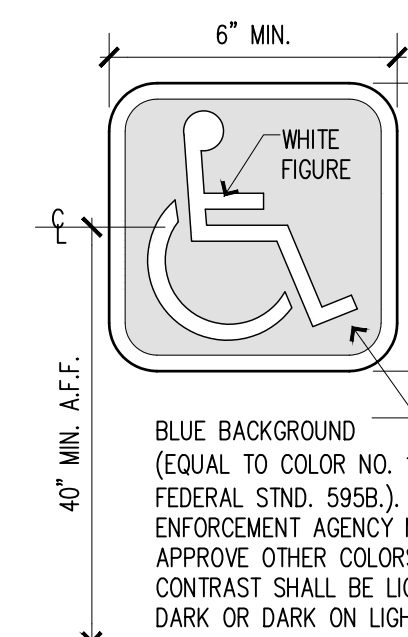
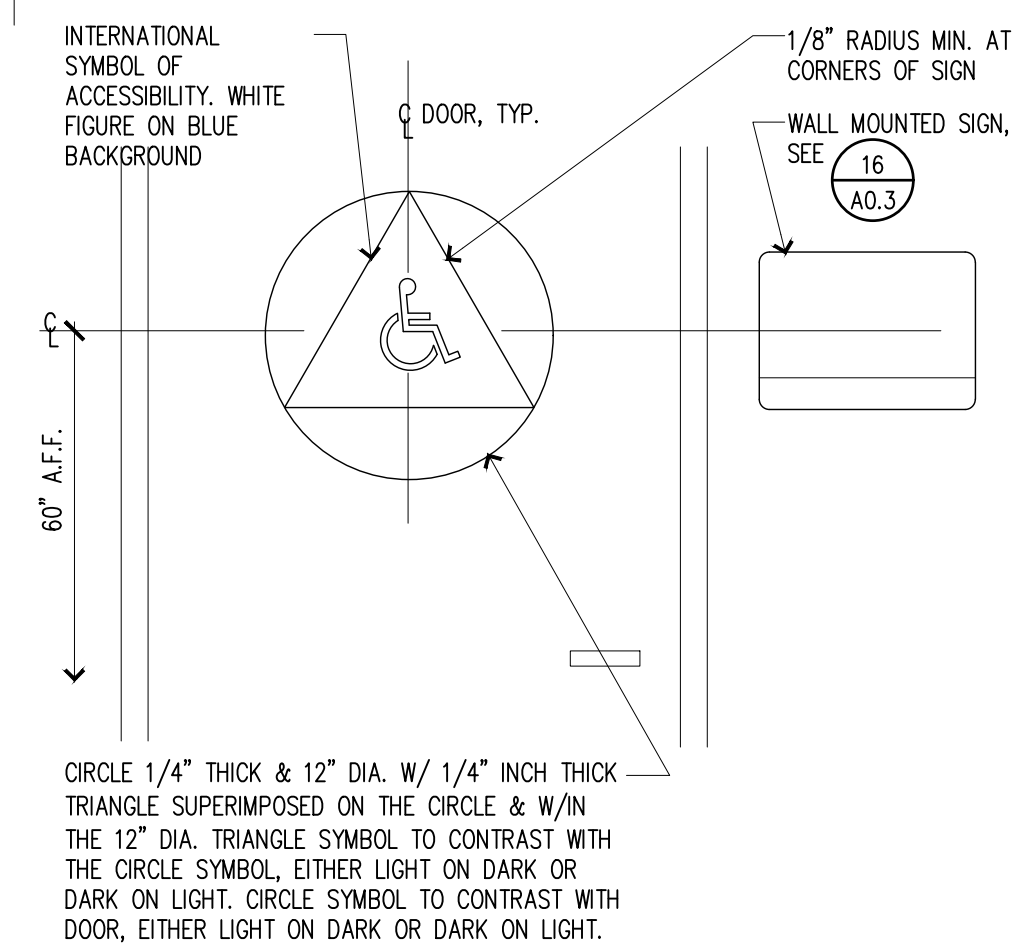
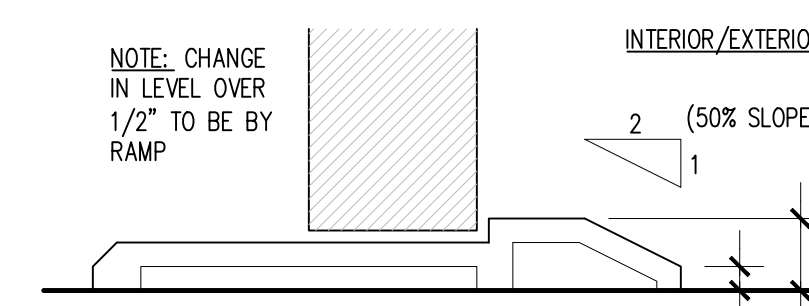
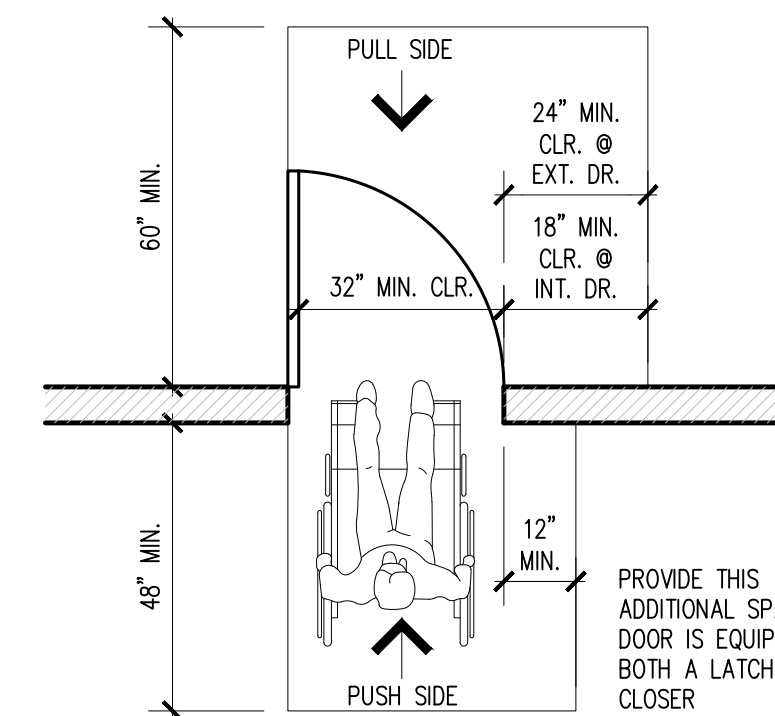
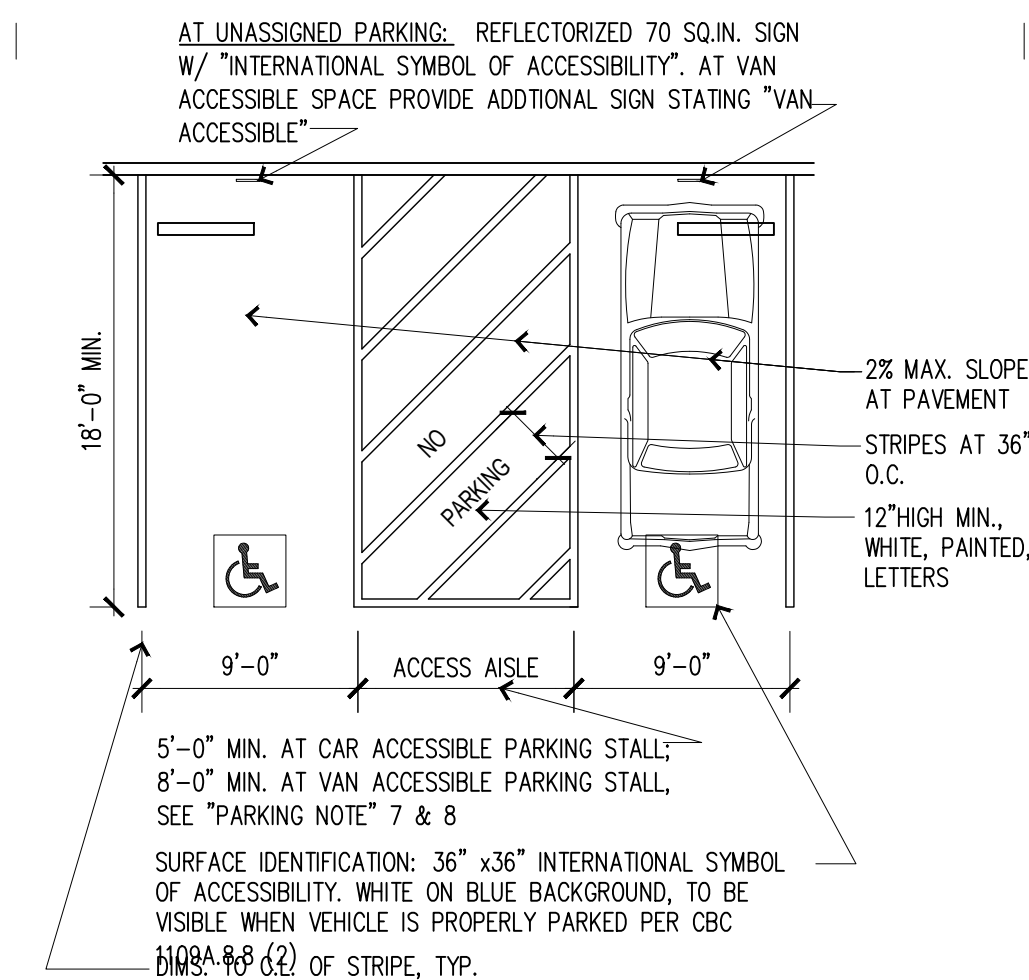
SCALE: 1" = 16'



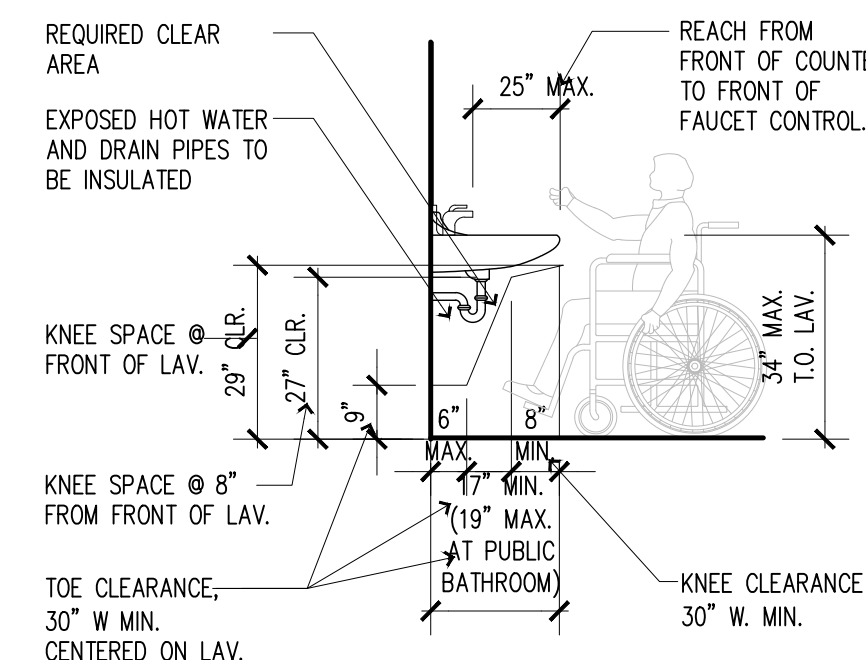
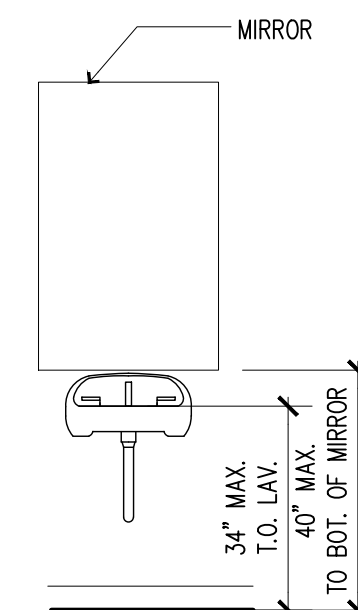
TOPOGRAPHIC SURVEY

OF
ADJUSTED PARCEL C
DOCUMENT#2016064535
OFFICIAL RECORDS OF MONTEREY COUNTY
CITY OF SEASIDE COUNTY OF MONTEREY STATE OF CALIFORNIA
PREPARED FOR
EARLY DEVELOPMENT SERVICES

BY
MONTEREY BAY ENGINEERS, INC.
CIVIL ENGINEERING • SUBDIVISIONS • LAND SURVEYING • CONSTRUCTION STAKING
607 Charles Ave Suite B Seaside, California 93955
Phone: (831) 899-7899
SCALE: 1" = 16' JOB No. 20-028 APRIL 2020
FIELD: MAL & AL DRAWN BY: AL



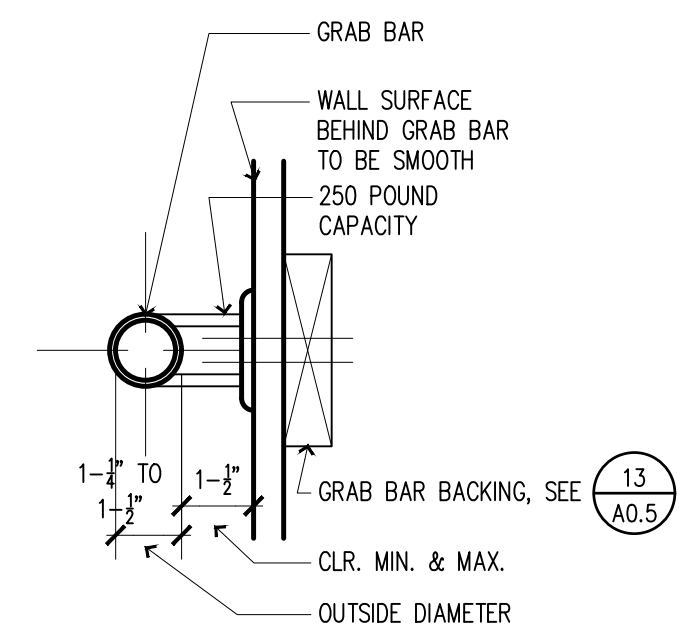
1. MOUNTING AT LATCH SIDE
OUTSIDE OF DOOR (⊙ DOUBLE
DOORS PROVIDE AT NEAREST
ADJACENT WALL)
2. DIRECTIONAL ARROW MOUNTED
BELOW AS REQUIRED
3. CHARACTERS, SYMBOLS &
THEIR BACKGROUND SHALL
HAVE A NONGLARE FINISH.
CHARACTERS & SYMBOLS
SHALL CONTRAST WITH THEIR
BACKGROUND, LIGHT ON DARK
OR DARK ON LIGHT.



- LAVATORY NOTES:

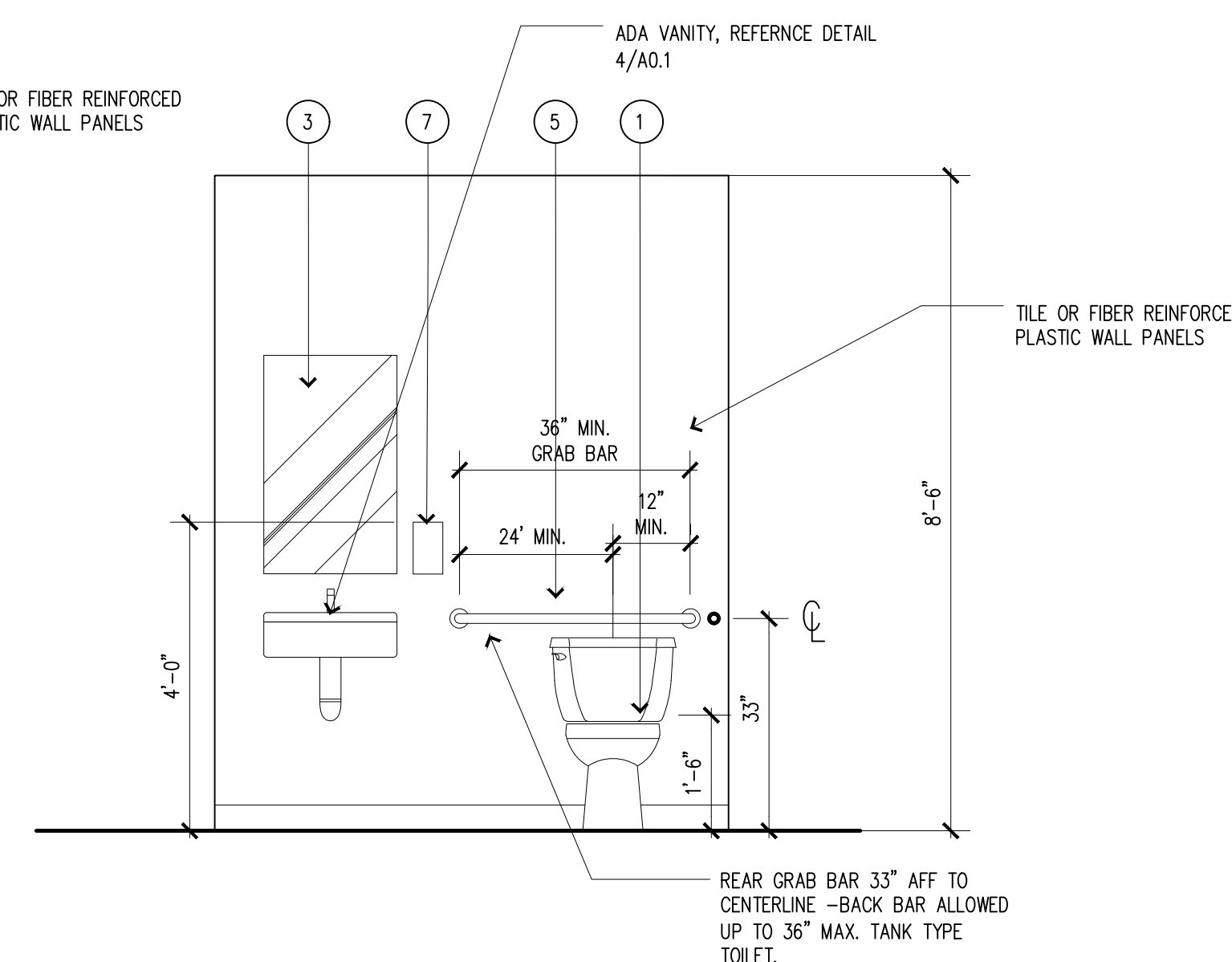
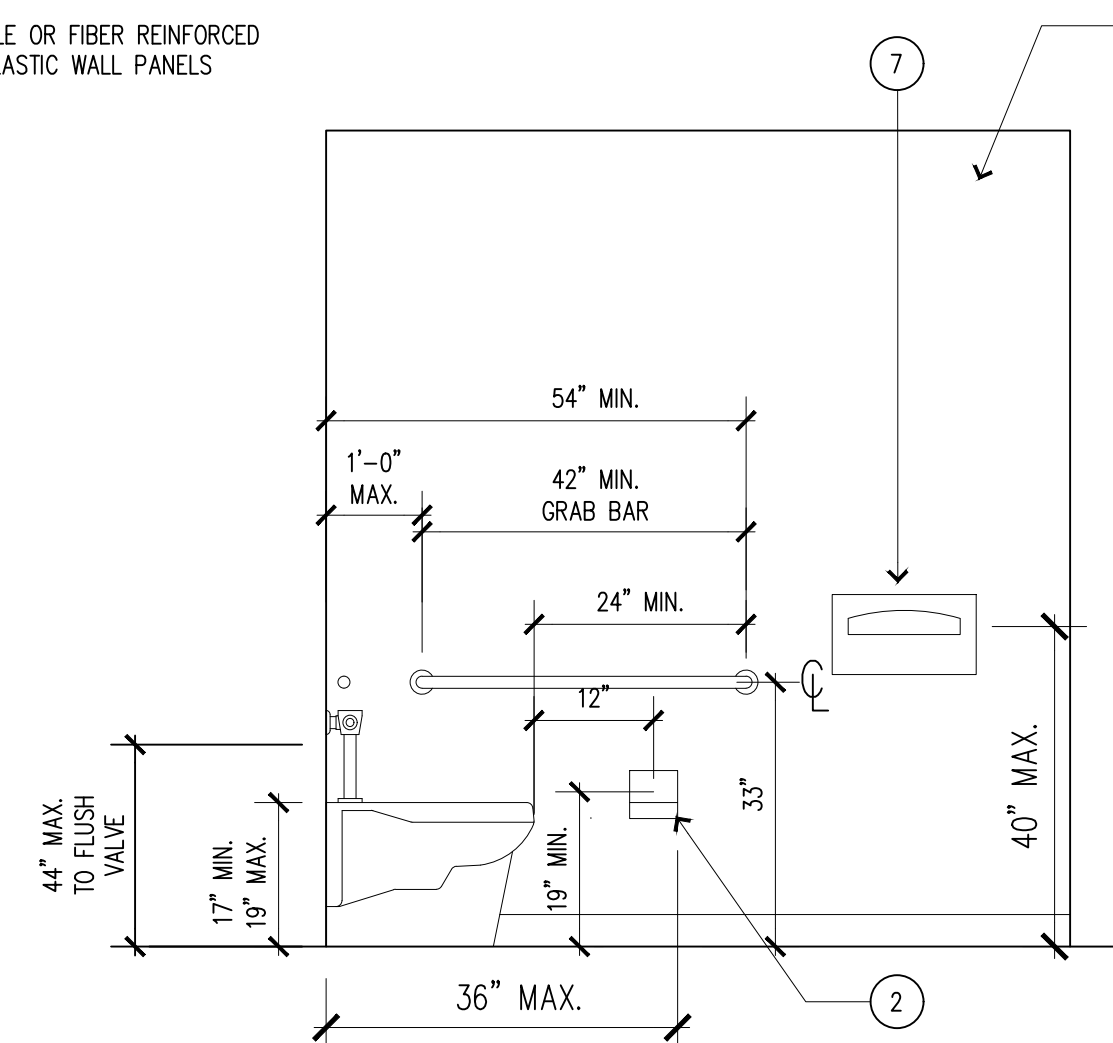
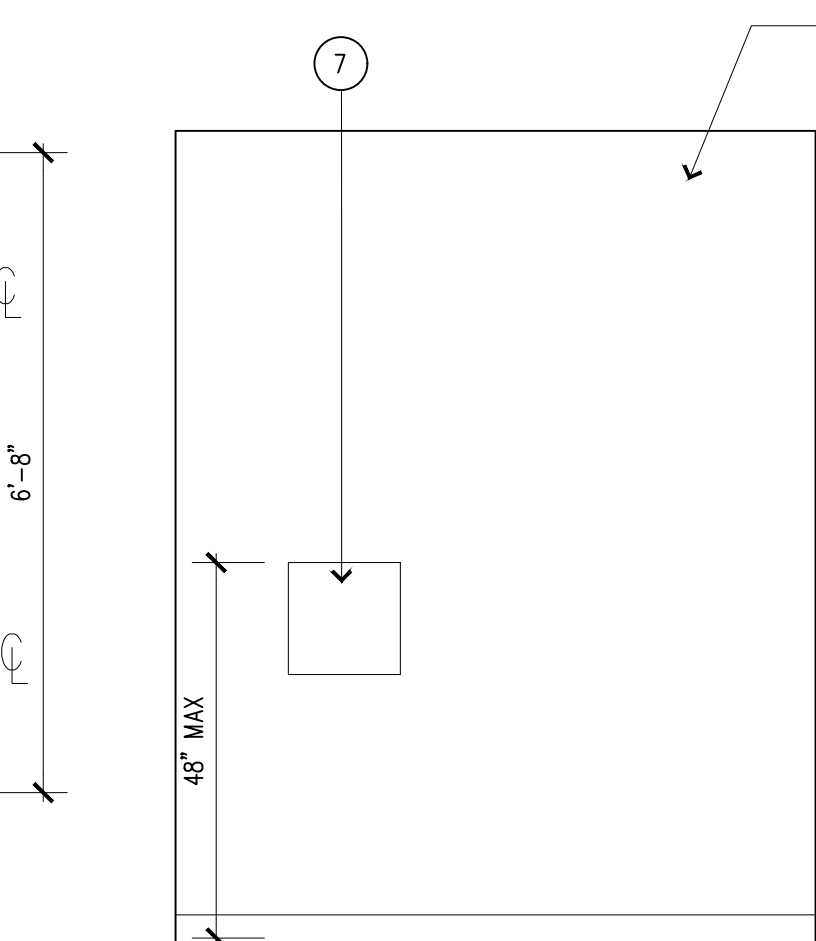
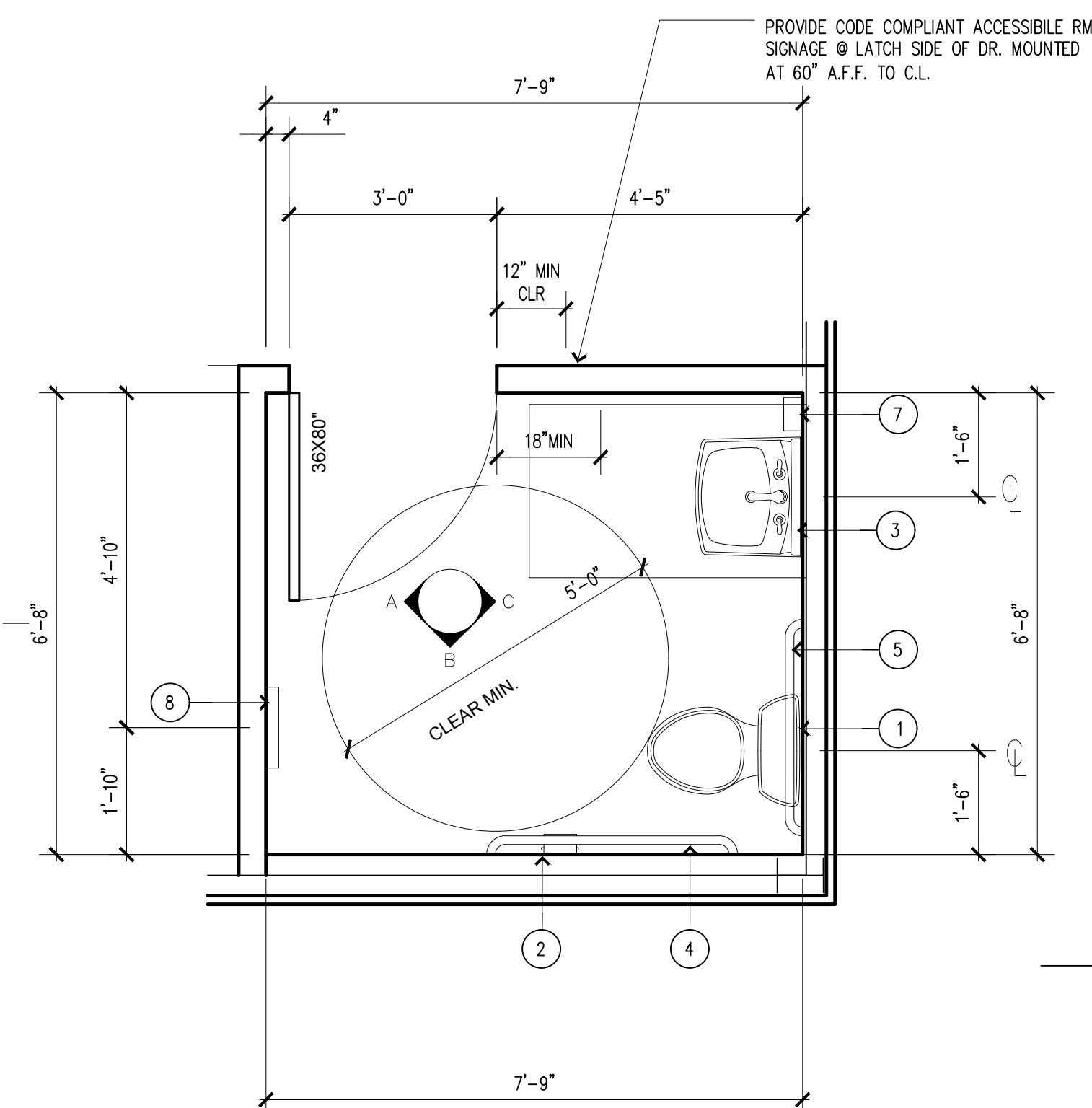
CBC CHAPTER 11B SECTION 1115B.4

1. FAUCET CONTROLS AND OPERATING MECHANISMS: SHALL BE OPERABLE WITH ONE HAND, AND SHALL NOT REQUIRE TIGHT GRASPING, PINCHING OR TWISTING OF THE WRIST. THE FORCE REQUIRED TO ACTIVATE CONTROLS SHALL BE NO GREATER THAN 5 POUNDS. LEVER-OPERATED, PUSH-TYPE AND ELECTRONICALLY CONTROLLED MECHANISMS ARE EXAMPLES OF ACCEPTABLE DESIGNS. SELF-CLOSING VALVES ARE ALLOWED IF THE FAUCET REMAINS OPEN FOR AT LEAST 10 SECONDS.
2. PLUMBING PROTECTION: HOT WATER AND DRAIN PIPES ACCESSIBLE UNDER LAVATORIES SHALL BE INSULATED OR OTHERWISE COVERED. THERE SHALL BE NO SHARP OR ABRASIVE SURFACES UNDER LAVATORIES.
3. FINISH FLOOR TO EXTEND UNDER LAV. TO WALL.
4. IF 9" MIN. HT. OF THE QLT CLR. IS PROVIDED, A MAX. OF 6" OF THE 48" CLR. FLR. SPACE REQUIRED AT ANY FIXTURE MAY EXTEND INTO THE SPACE.



NOTE:

GRAB BARS SHALL COMPLY WITH REQUIREMENTS OF CBC 1115B.7.
GRAB BARS SHALL NOT ROTATE IN THEIR FITTINGS.

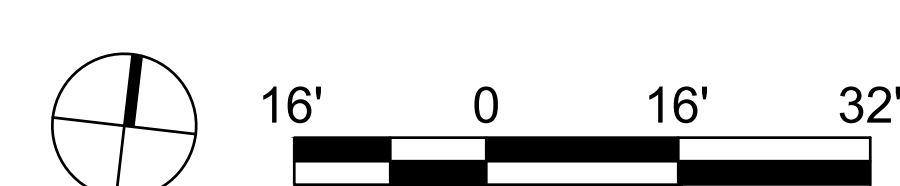


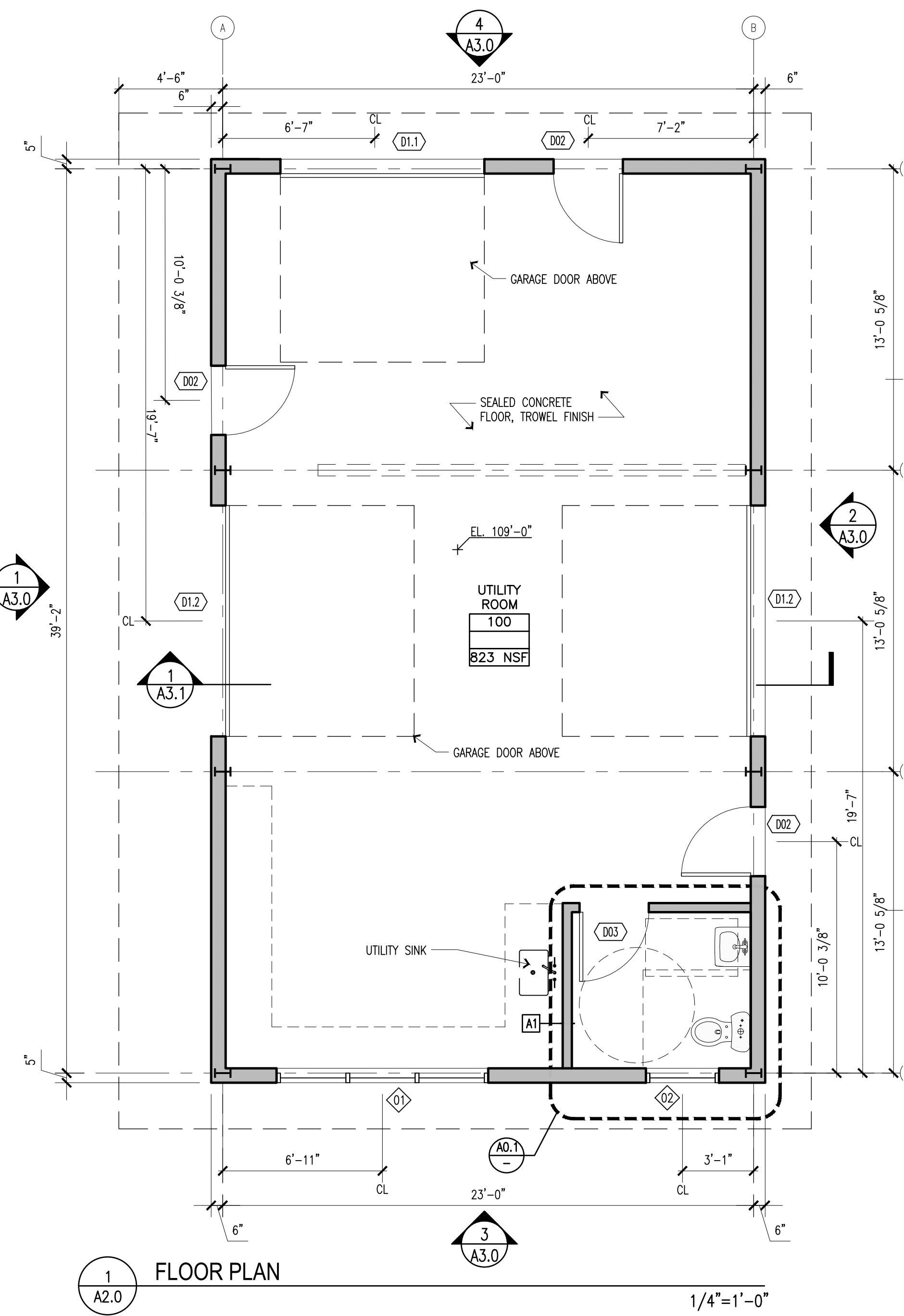
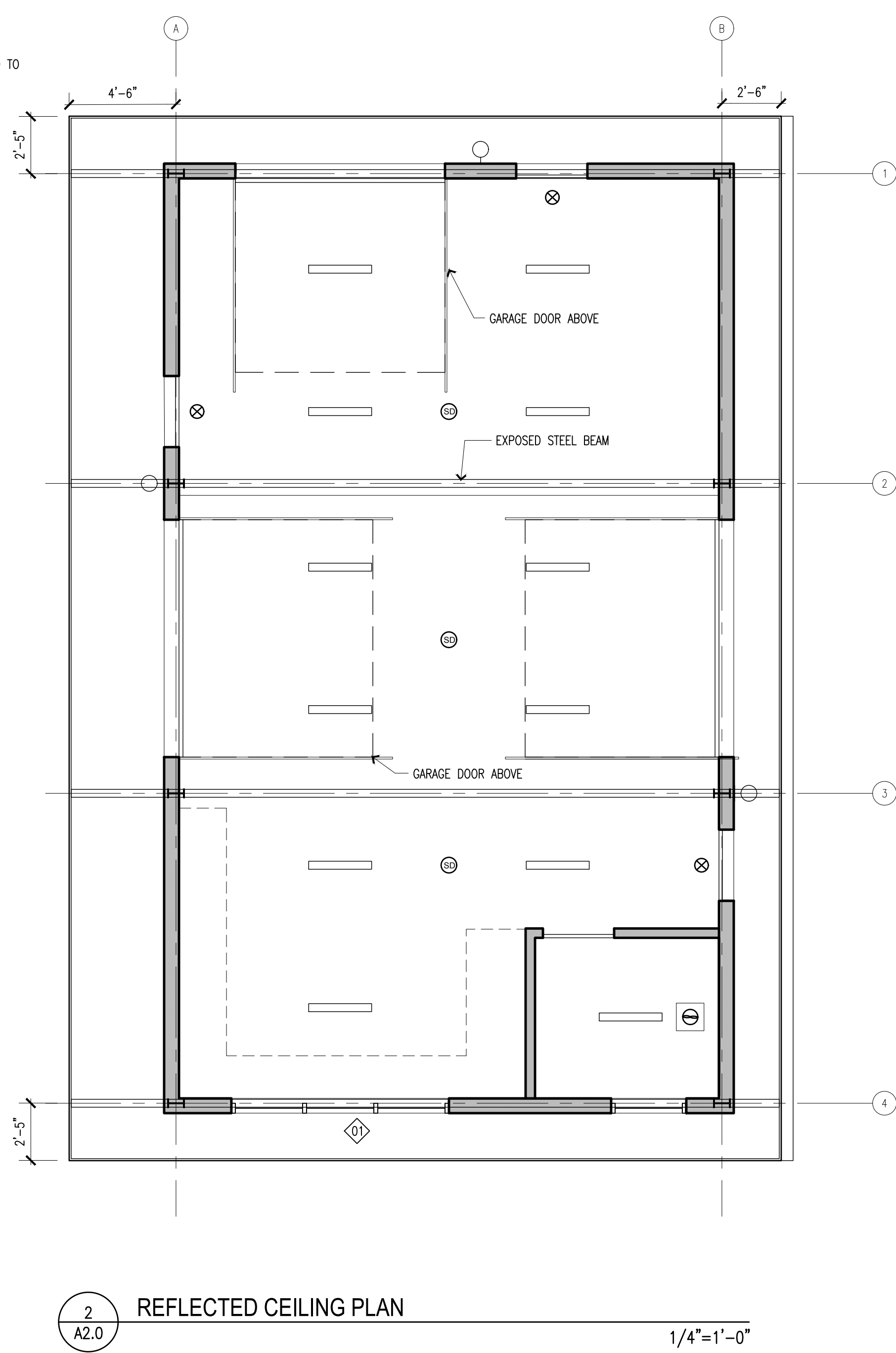
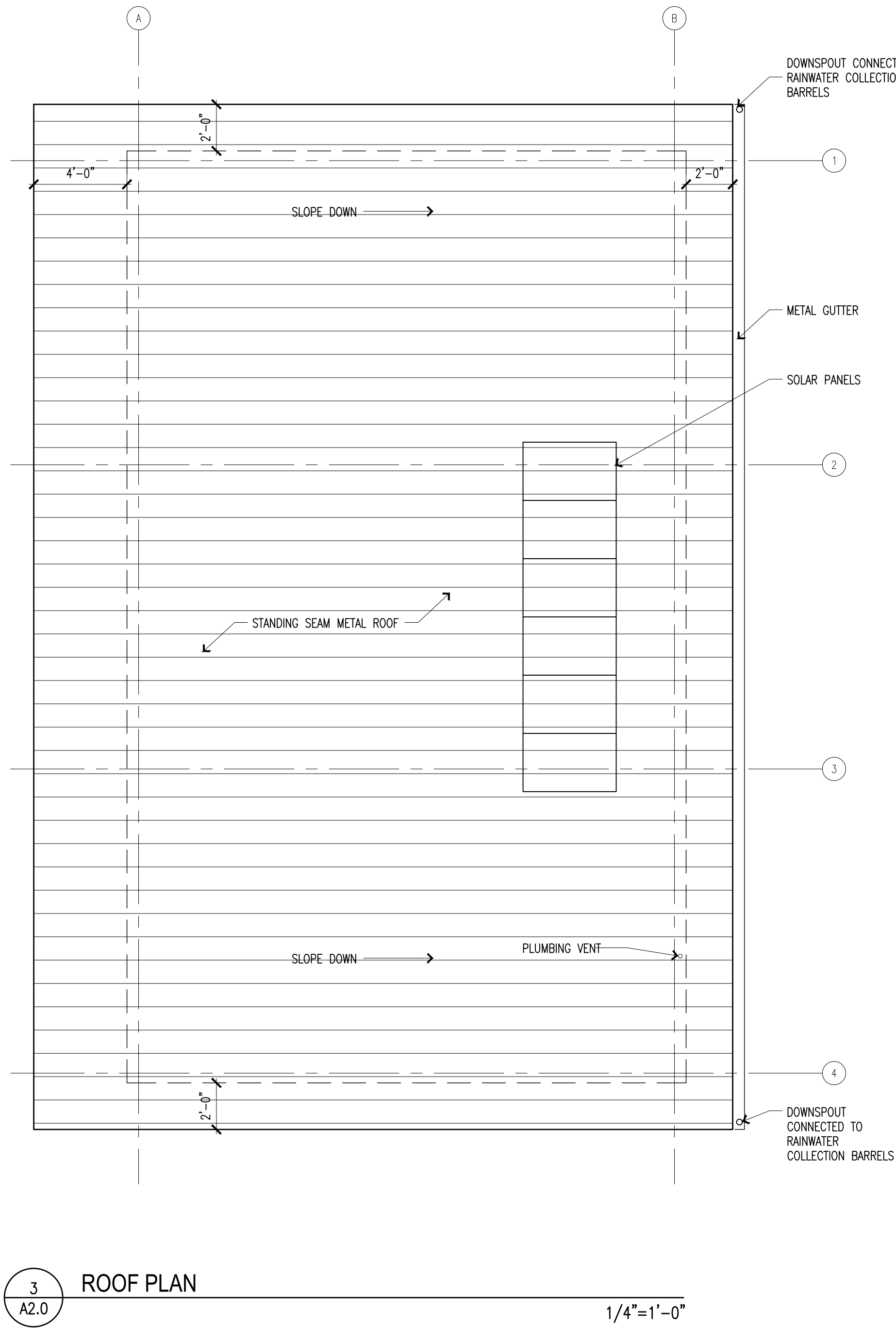
- KEYNOTES:

1. WATER CLOSET MEASURE 18" FROM CETNER LINE OF WATER CLOSET TO SURFACE OF FINISHED WALL
2. TOILET TISSUE HOLDER
3. GLASS MIRROR
4. 42" MIN. GRAB BAR
5. 36" GRAB BAR
6. PAPER SEAT COVER DISPENSER
7. SOAP DISPENSER
8. PAPER TOWEL DISPENSER

- BATHROOM NOTES:

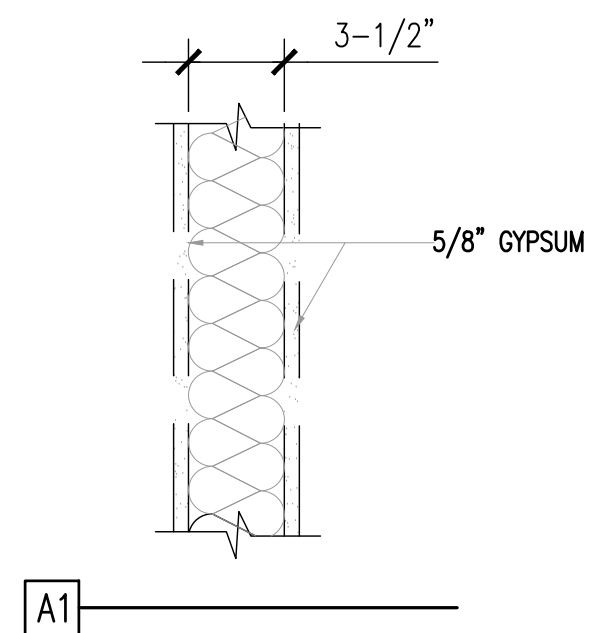
- **ALL DOORS, FIXTURES AND CONTROLS TO BE ON AN ACCESSIBLE ROUTE.**
- **PROVIDE GRAB BARS FOR WATER CLOSETS AT PUBLIC AND COMMON AREA BATHROOMS**
- **GRAB BARS SHALL COMPLY WITH REQUIREMENTS OF CBC 11B58.7, SEE GRAB BAR NOTES AND DETAILS BELOW.**
- **IN PUBLIC AND COMMON AREA TOILET ROOM PROVIDE A SMOOTH, HARD, NONABSORBENT SURFACE SUCH AS PORTLAND CEMENT, CONCRETE, CERAMIC TILE OR OTHER APPROVED MATERIAL WHICH EXTENDS UPWARD ONTO THE WALLS AT LEAST 5 INCHES.**
- **PROVIDE A PRIVACY LATCH AT THE ENTRANCE DOOR WHICH COMPLIES WITH CBC 11B7B.8, CONTROLS AND OPERATING MECHANISMS:**
 - **TOILET FLUSH CONTROLS SHALL BE OPERABLE WITH ONE HAND, AND SHALL NOT REQUIRE TIGHT GRASPING, PINCHING OR TWISTING OF THE WRIST. CONTROLS FOR THE FLUSH TOILETS SHALL BE MOUNTED AT THE MIDDLE OF THE TOILET SEATS, NO MORE THAN 4" FROM THE FLOOR.**
 - **THE FORCE REQUIRED TO ACTIVATE THE CONTROLS SHALL BE NO MORE THAN 5 POUNDS.**



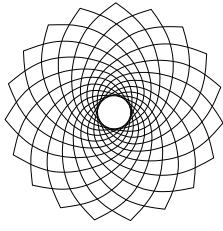


ELECTRICAL LEGEND:

- 4' LIGHT
- EXIT SIGN
- FAN
- SMOKE DETECTOR
- WALL SCONCE LIGHT



DRAWING NOTES 1/4"=1'-0"



ADAM FRANCH
DEVELOPMENT - MANAGEMENT - ARCHITECTURE

NO. C 34374
REN 12/31/2021
STATE OF CALIFORNIA

STAMP

PROJECT INFORMATION:

Early Development Services, Inc.
AVONDALE CHILD DEVELOPMENT CENTER

PROJECT ADDRESS:

1405 LA SALLE
SEASIDE CALIFORNIA
011-081-026 - ADJUSTED PARCEL C

PROJECT REVISIONS

ARCHITECT:	Adam Franch
EMAIL:	adam@dev-arc.com
PHONE:	726-219-2117

JOB NUMBER: 1405L

PHASE: CONSTRUCTION

FOR: CITY OF SEASIDE CA

DATES:

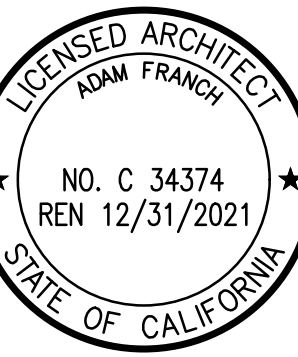
PLANNING SUBMITTAL: 05/15/2020

SHEET TITLE

**BUILDING
PLANS,
RCP & ROOF**

SHEET NUMBER

A2.0



AMP

Early Development Services, Inc.
AVONDALE CHILD DEVELOPMENT CENTER

1405 LA SALLE
SEASIDE CALIFORNIA
011-081-026 - ADJUSTED PARCEL C

PROJECT REVISIONS

ARCHITECT: Adam Franch
 EMAIL: adam@dev-arc.com
 PHONE: 720-219-2117

NUMBER: 1405L
 CASE: CONSTRUCTION
 CITY OF SEASIDE CA

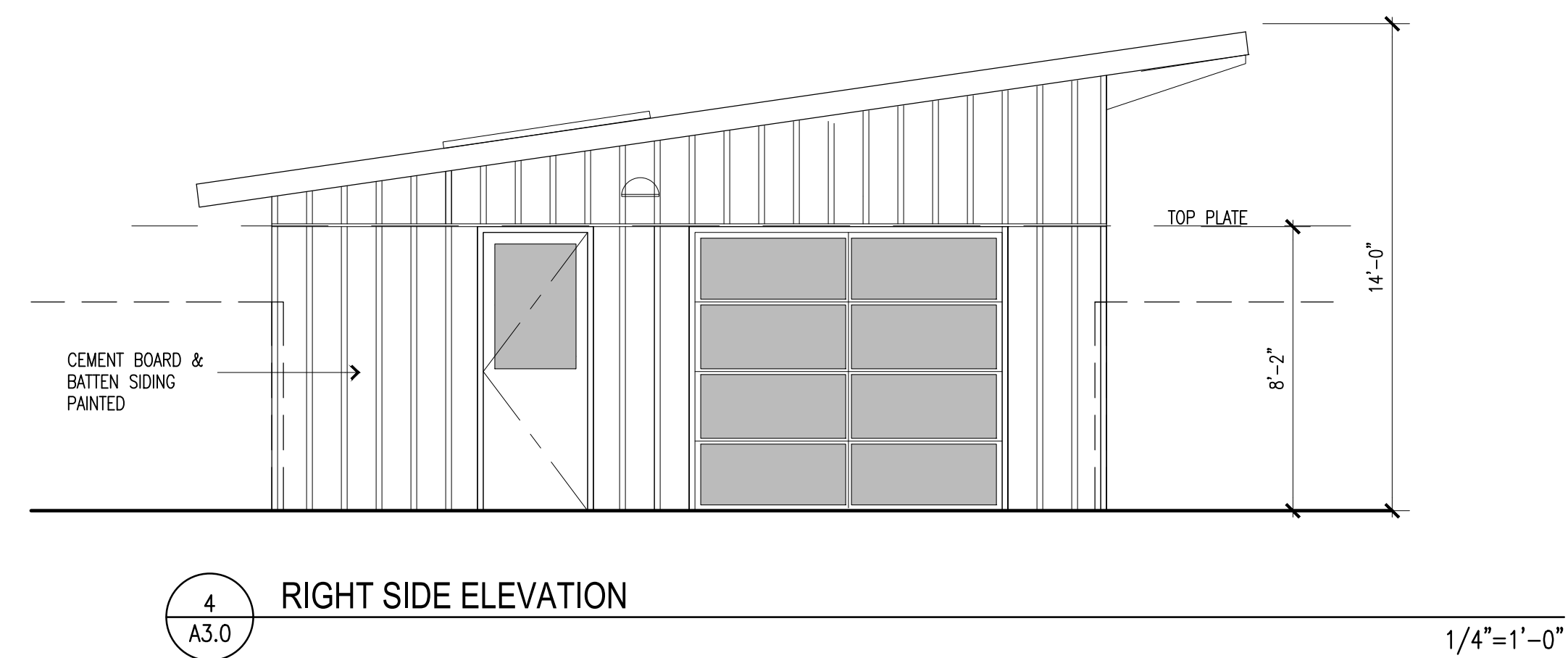
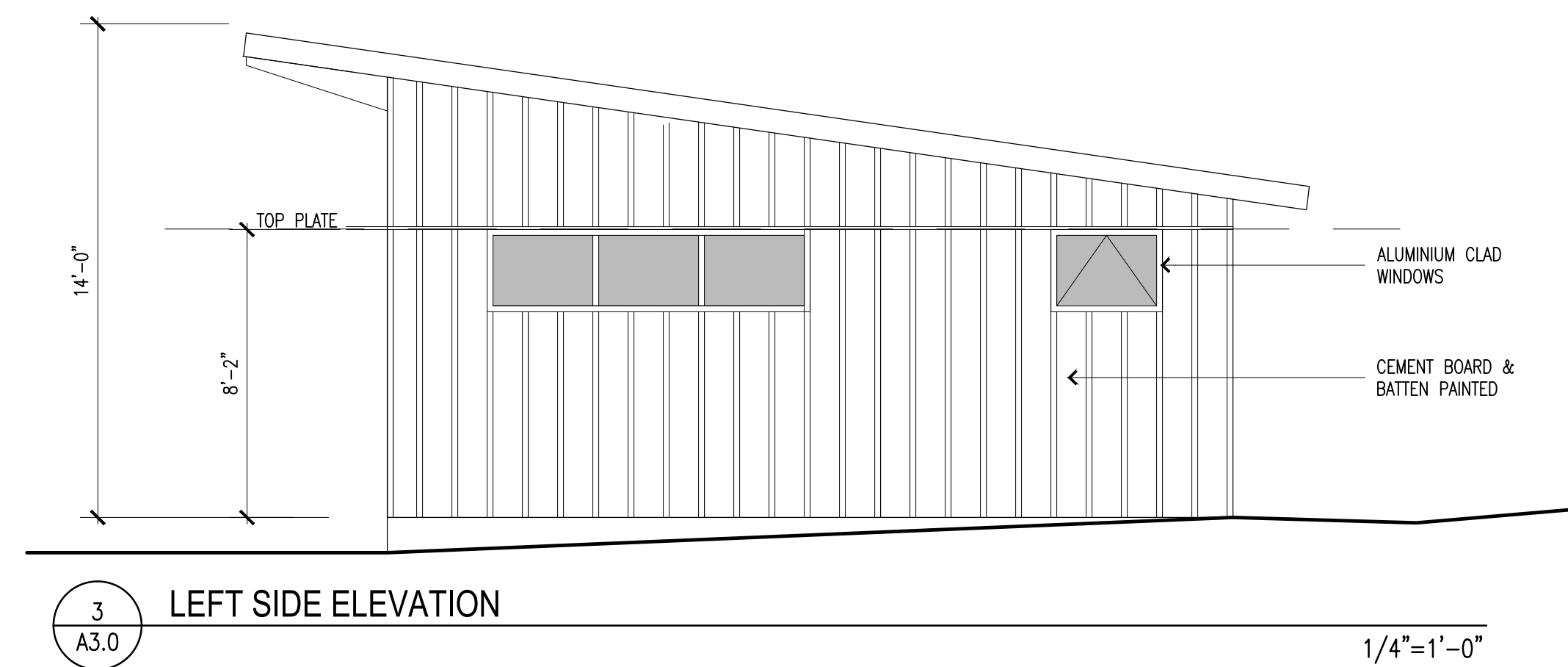
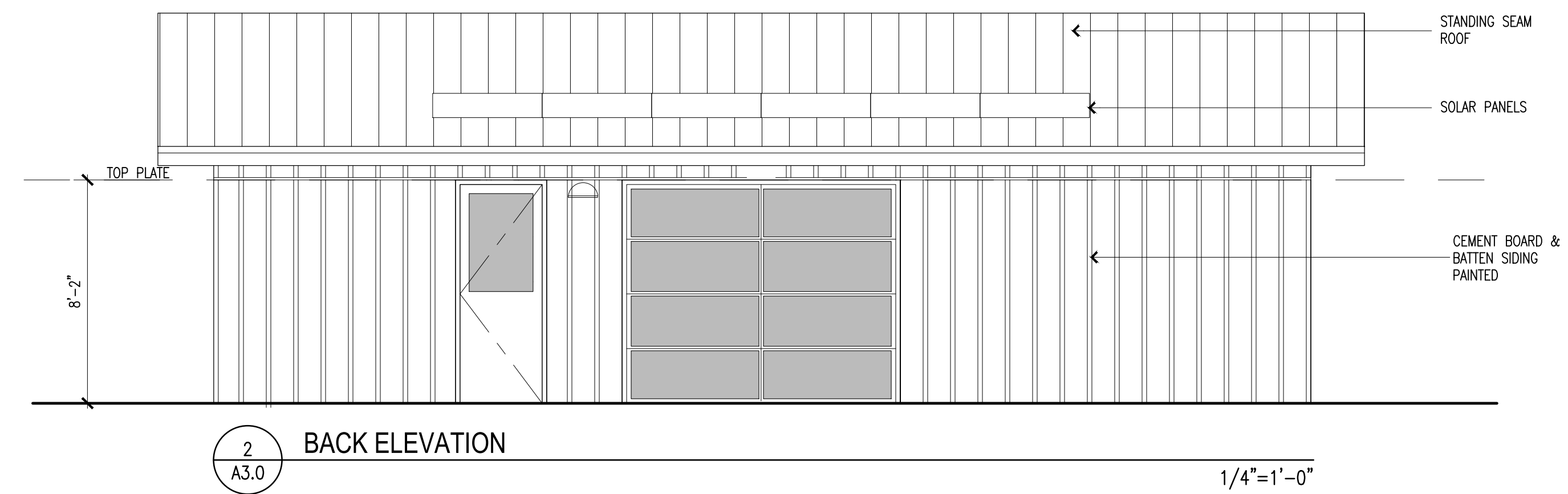
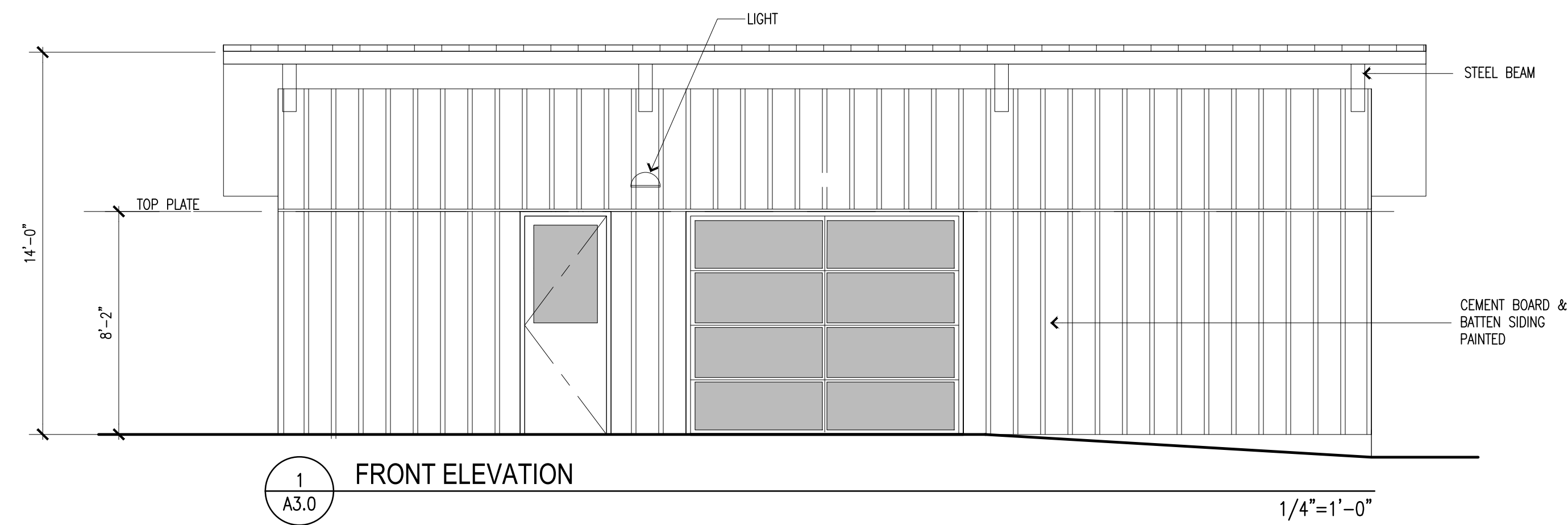
ANNOUNCING SUBMITTAL: 05/15/2020

HEET TITLE

BUILDING ELEVATIONS

HEET NUMBER

A3.C





P

Early Development Services, Inc.

Early Development Serv
AVONDALE CHILD DEVELOPMENT CENTER

1405 LA SALLE

1405 LA SAIL
SEASIDE CALIFORNIA
011 081 036 ADLIS

ECT REVISIONS

ECT: Adam Franch
adam@dev-arc.com
720-219-2117

NUMBER: 1405L
CONSTRUCTION
CITY OF SEASIDE CA

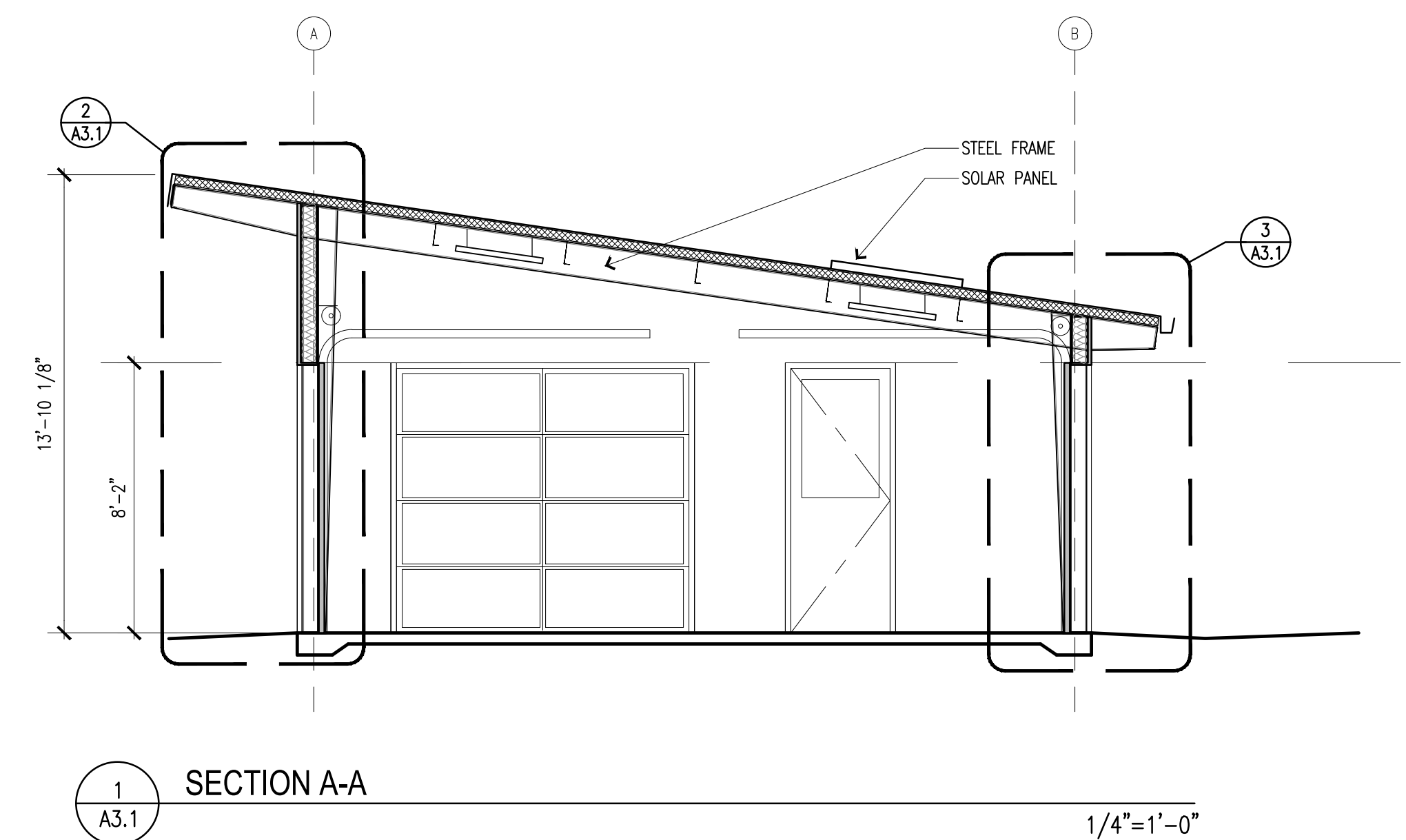
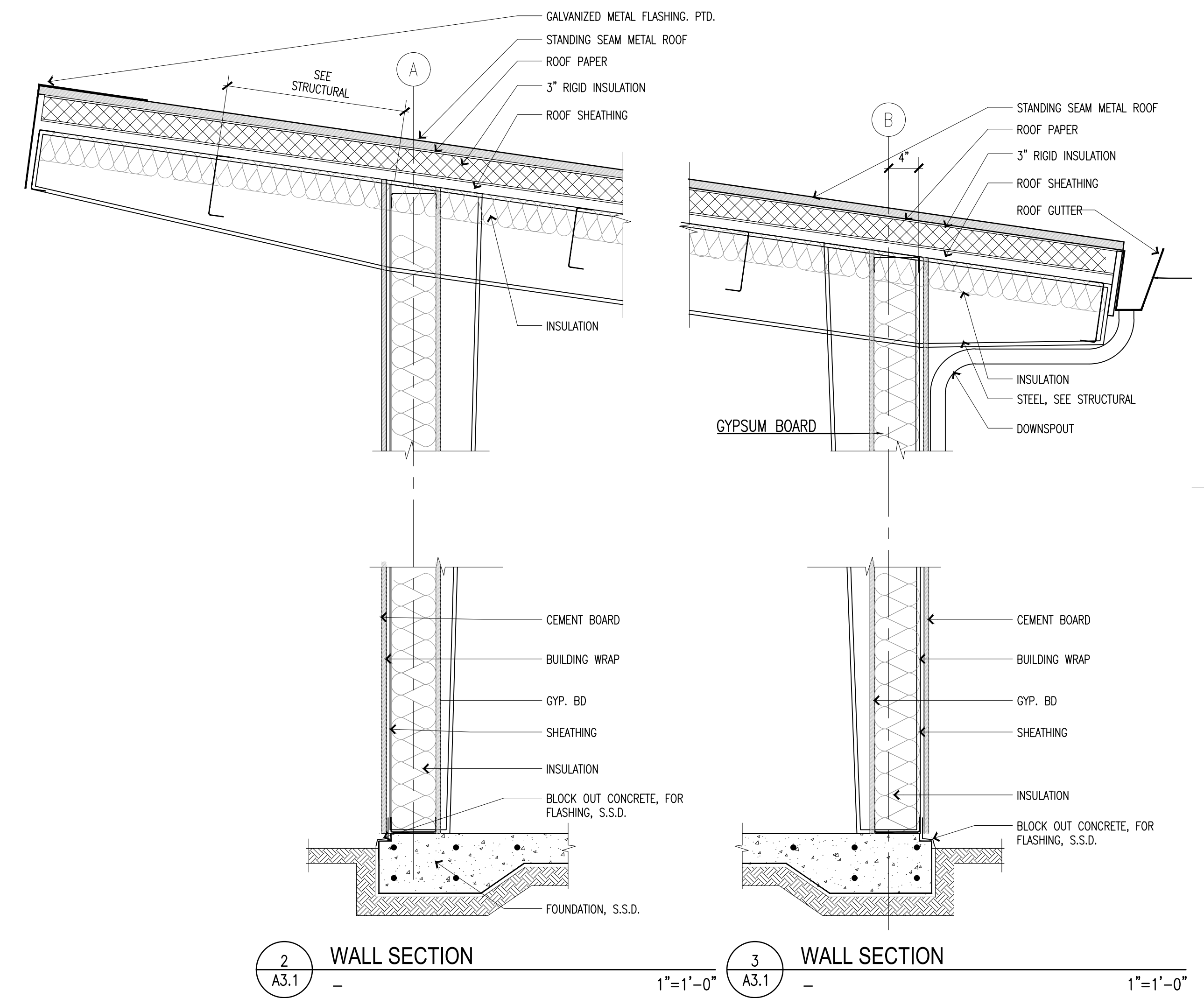
NG SUBMITTAL: 05/15/2020

T TITLE

BUILDING SECTION & TAILS

T NUMBER

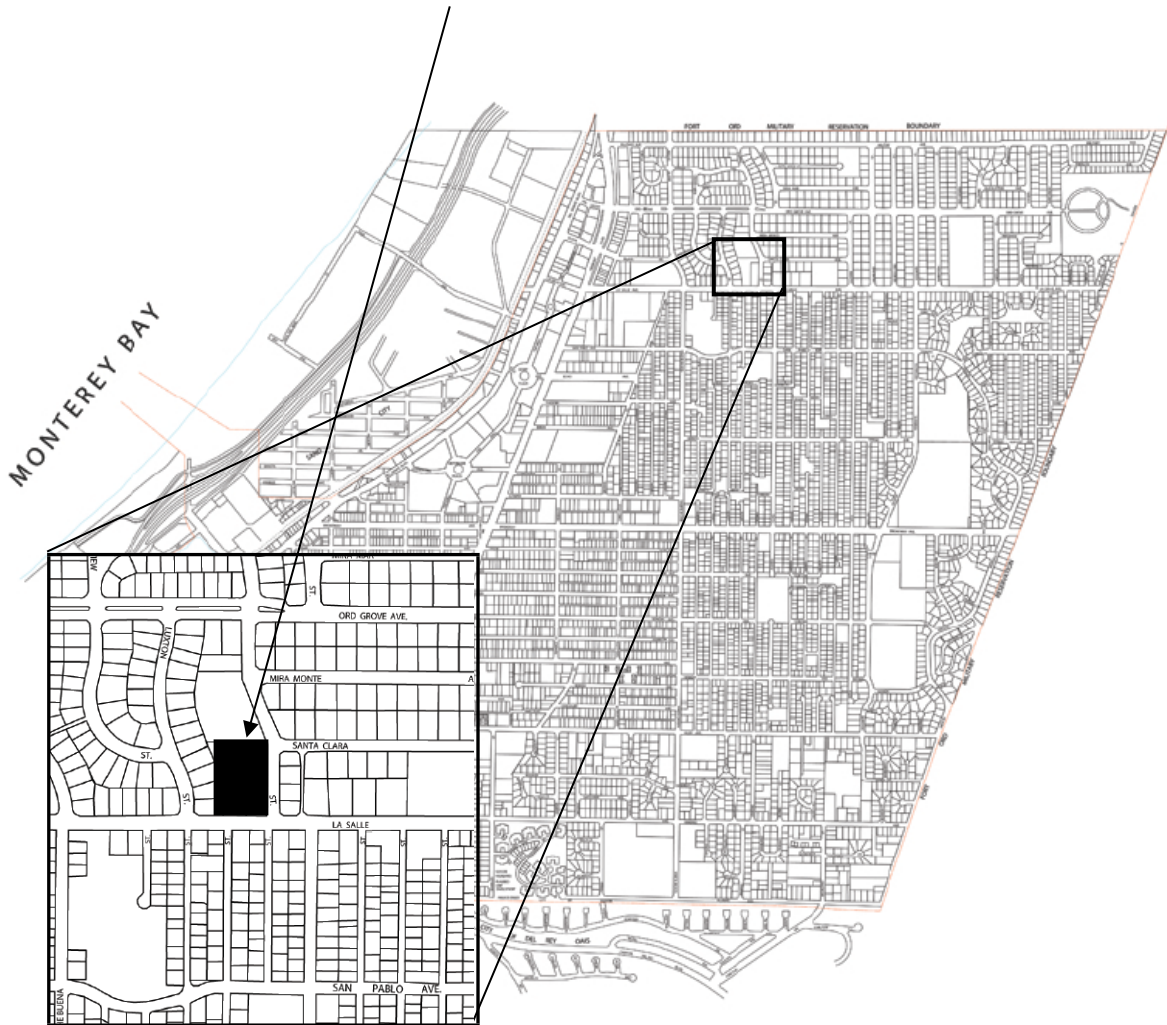
A3.1



Attachment 2

Location Map

Project Site: 1405 La Salle Avenue



Attachment 3
Site Photos



View of front entrance from La Salle Avenue Avenue



View of corner from La Salle Avenue and Waring Street

Attachment 3
Site Photos



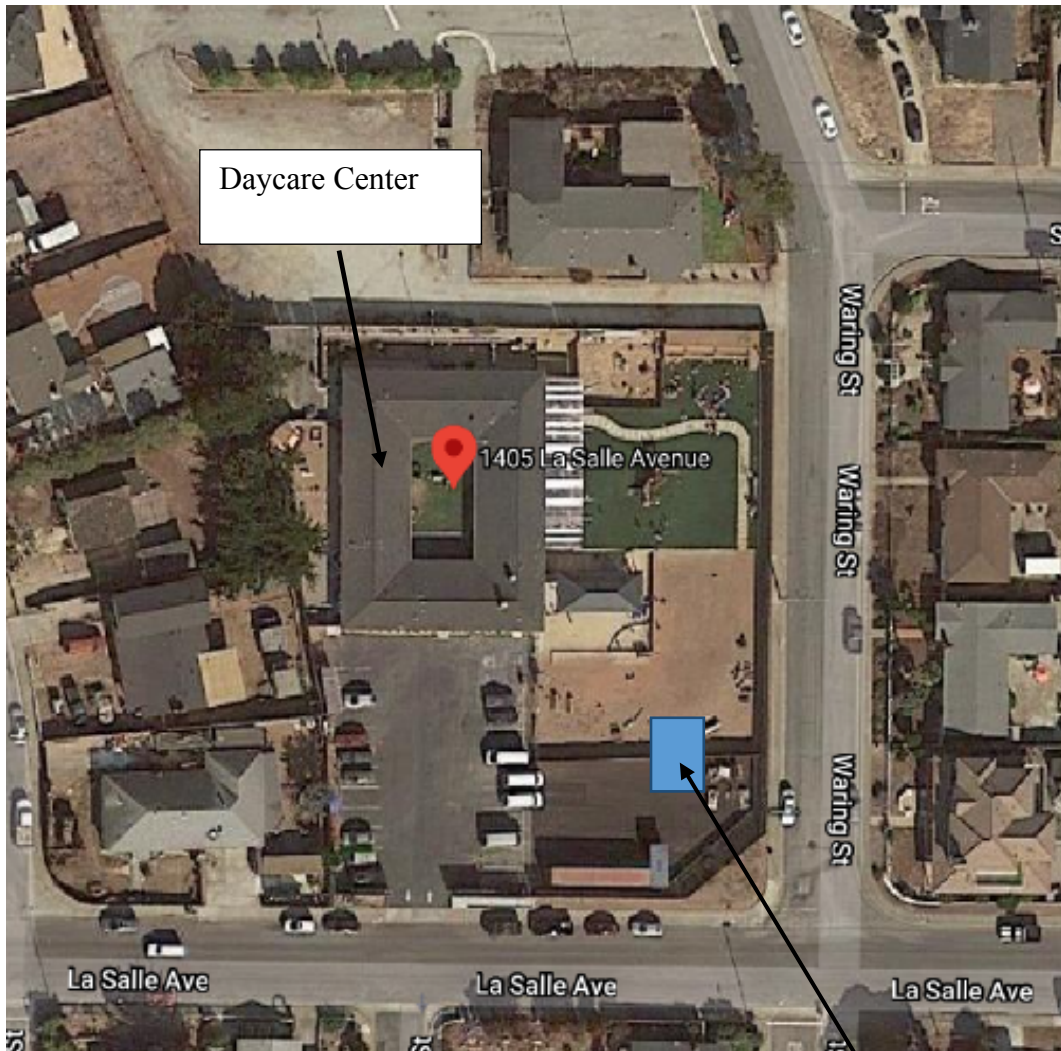
View of east property line from Waring Street



View of interior site location from parking lot

Attachment 4

Aerial Photo





CITY OF SEASIDE STAFF REPORT

Item No.: 7.B.

TO: Planning Commission

BY: Rick Medina, Senior Planner

DATE: June 24, 2020

SUBJECT: FENCE EXCEPTION APPLICATION No. FE-20-01: SOFIA MATROSOVVA KHALIIL, PROPERTY OWNER AND APPLICANT, IS REQUESTING A FENCE EXCEPTION TO ALLOW FOR A FIVE-FOOT HIGH FENCE WITHIN THE 15-FOOT FRONT YARD SETBACK LOCATED AT 1122 HARCOURT AVENUE (APN# 012-353-004) IN THE RS-12 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT. THE PROJECT IS CATEGORICALLY EXEMPT CLASS 3, SECTION 15303(e) FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PURPOSE & RECOMMENDATION

In accordance with Section 17.30.020.F of the Seaside Municipal Code (SMC), a fence or wall may exceed allowed height requirements subject to Planning Commission approval.

City staff recommends approval of the fence exception based on the required findings listed under Section 17.30.020.F.2 SMC.

BACKGROUND

The project site is 5,000 square feet in area (50 feet by 100 feet) and is developed with a one-story single family dwelling. The site is flat in topography and is surrounded by one-story single family dwellings to the east, north, south and west. The existing dwelling was constructed in 1941. Most of the dwellings on the 1100 block of Harcourt Avenue were constructed between 1940 and 1960.

Location map is provided as Attachment 2. Site photos are provided as Attachment 3.

PROJECT DESCRIPTION

The property owner is requesting a fence exception to allow for a 1-foot five-inch horizontal extension onto an existing four-foot six-inch tall redwood fence. The existing fence consists of varied vertical redwood. The project plans provided as Exhibit A to attachment 1 to show the varied widths of the existing fence and strips of horizontal redwood that would be added to the top of the existing fence. The proposed design for the fence extension will include use of 4-inch and two-inch strips with small spacing gaps in between.

The attached plan includes narrative explaining the security related needs for the operation of a large family daycare at the project site. A large family daycare consists of up to 14 children. Large family daycare facilities are permitted within a residential neighborhood.

STAFF ANALYSIS

In accordance with Section 17.30.020.F.2, the following findings shall be considered for a fence exception:

1. A general safety hazard to City residents and/or the general public would not be created

Evidence: *The proposed fence extension would not result in any hazard, either physically or visually to the general public or adjacent property owners and occupants residing in the immediate vicinity.*

2. A traffic-related safety hazard would not be created.

Evidence: *The width of the driveway will provide ample visibility to allow for the safety of pedestrians and vehicles travelling on Harcourt Avenue in the event a vehicle is backing out of the driveway on the subject property.*

3. The fence will not impair visibility at an intersection or traffic safety visibility area.

Evidence: *The project site is not located near an intersection. The width of the driveway will provide ample visibility to allow for the safety of pedestrians and vehicles travelling on Harcourt Avenue in the event a vehicle is backing out of the driveway on the subject property.*

4. The fence or wall will not obstruct vision from an adjoining driveway.

Evidence: *No driveways on the adjoining properties that abut the driveway on the subject property.*

5. The fence is compatible with the surrounding neighborhood.

Evidence: *The fence design will provide an artistic horizontal pattern to match the*

vertical redwood fence. The gaps in the horizontal extension will also minimize the visual mass and continue with the eclectic appearance of the older residential neighborhood.

ATTACHMENTS

1. Attachment 1 Draft Resolution
 2. Attachment 1 - Exhibit A Site Plan
 3. Attachment 1 - Exhibit A Fence Plan
 4. Attachment 2 - Location Map
 5. Attachment 3 - Site Photos
-

RESOLUTION NO. 20-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE, STATE OF CALIFORNIA, APPROVING FENCE EXCEPTION APPLICATION NO. FE-20-01 TO ALLOW FOR A FIVE-FOOT FENCE WITHIN FRONT SETBACK LOCATED AT 1122 HARCOURT AVENUE (APN: 012-353-004).

WHEREAS, Matrosovva Khaliil, property owner and applicant, has applied for approval of a Fence Exception permit to allow for a five-foot tall fence in the front setback thereby exceeding the maximum height requirements of Zoning Code Section 17.30.020.B.1 within the front setback by one-foot; and

WHEREAS, it is the responsibility of the Planning Commission to consider and weigh the merits of the application and public input in relation to the policies, standards and intent of the Seaside General Plan and Seaside Municipal Code in relation to the proposed Fence Exception; and

WHEREAS, the Planning Commission considered written information concerning the proposed exception at a duly noticed public hearing held on June 24, 2020; and

WHEREAS, the project is exempt from environmental review subject to Class 3, Section 15303(e): New Construction of Small Structures:

Evidence: Approval of the proposed fence exception would result in the approval of a five-foot high wood, which is a minor improvement that would clearly not result in any impact on the environment.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission adopt the following findings for the denial of Fence Exemption Application No. FE-15-01:

1. A general safety hazard to City residents and/or the general public would not be created

Evidence: *The proposed fence extension would not result in any hazard, either physically or visually to the general public or adjacent property owners and occupants residing in the immediate vicinity.*

2. A traffic-related safety hazard would not be created.

Evidence: *The width of the driveway will provide ample visibility to allow for the safety of pedestrians and vehicles travelling on Harcourt Avenue in the event a vehicle is backing out of the driveway on the subject property.*

3. The fence will not impair visibility at an intersection or traffic safety visibility area.

Evidence: *The project site is not located near an intersection. The width of the driveway will provide ample visibility to allow for the safety of pedestrians and vehicles travelling on Harcourt Avenue in the event a vehicle is backing out of the driveway on the subject property.*

4. The fence or wall will not obstruct vision from an adjoining driveway.

Evidence: *No driveways on an adjoining property that abut the driveway on the subject property.*

5. The fence is compatible with the surrounding neighborhood.

Evidence: *The fence design will provide an artistic horizontal pattern to match the vertical redwood fence. The gaps in the horizontal extension will also minimize the visual mass and continue with the eclectic appearance of the older residential neighborhood.*

NOW BE IT FURTHER RESOLVED, the Planning Commission hereby approves Fence Exception Application No. FE-20-01 on the 24th day of June 2020.

AYES:

NOES:

ABSENT:

ABSTAIN:

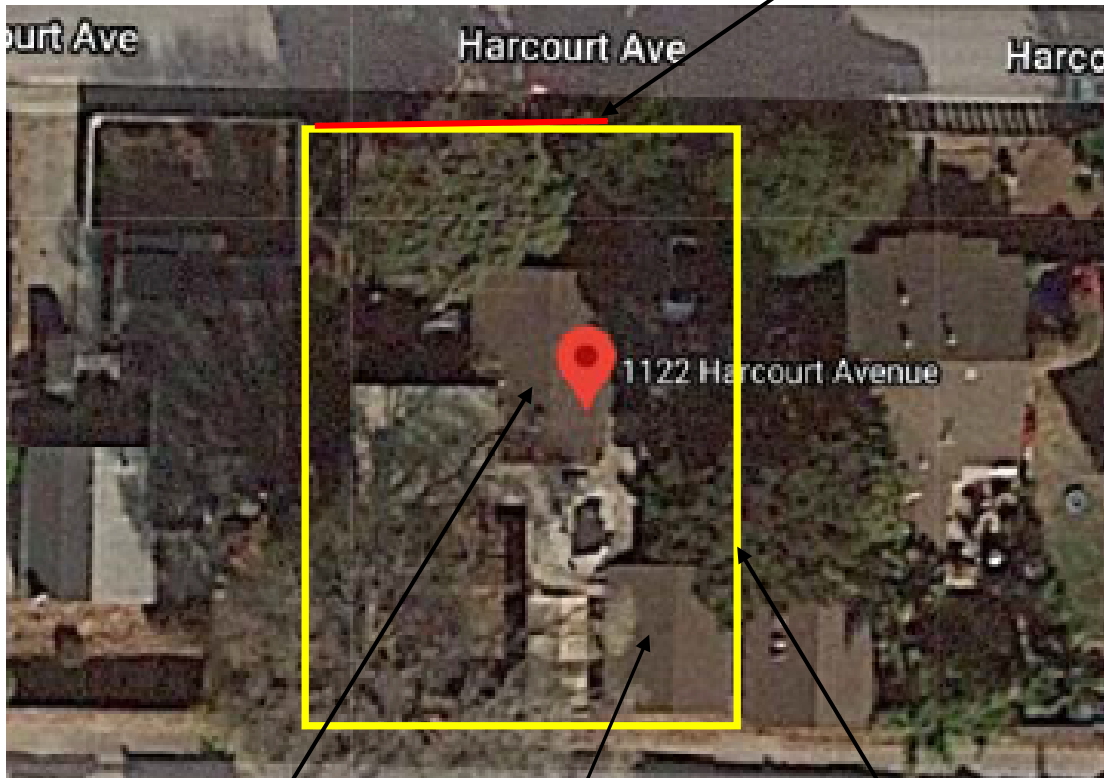
John Owens, Chairperson

ATTEST:

Planning Commission Secretary

Attachment 1 – Exhibit A
Site Plan

Red Line – Front
Yard Fence



House

Detached Garage

Yellow Line – Property
Boundaries

Dear Committee Members,

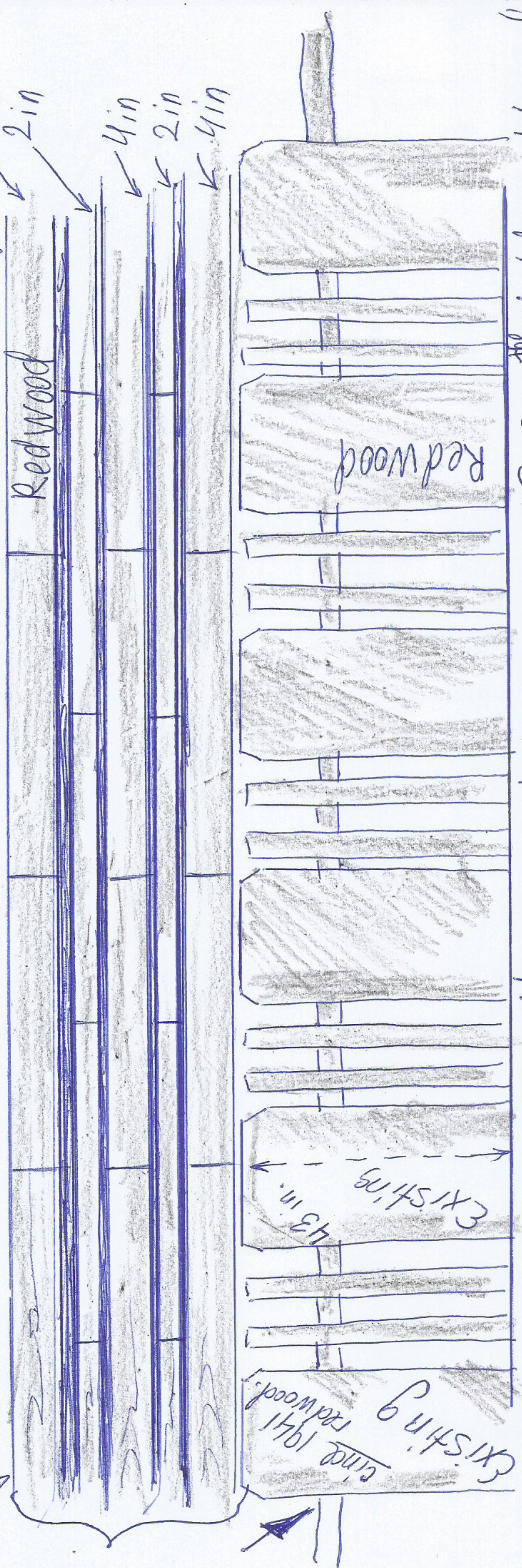
Please allow to make an exention of 1foot + 5inches to the existing old (1941) fence.

Reasons:

1. I am a single mom (2 daughters and 84 years old Mom), We bought this house for 1st Home in October 2019. Twise our home was broken in, I made two Police reports. We want to be safe in our home.
2. I am oppening a licenced Child Care and we need Privacy and Safety. Thank You, Sofia.

Proposed addition behind the existing old fence (attached to the old one, but behind.) Horizontal slats

1foot + 5in = 5 foot



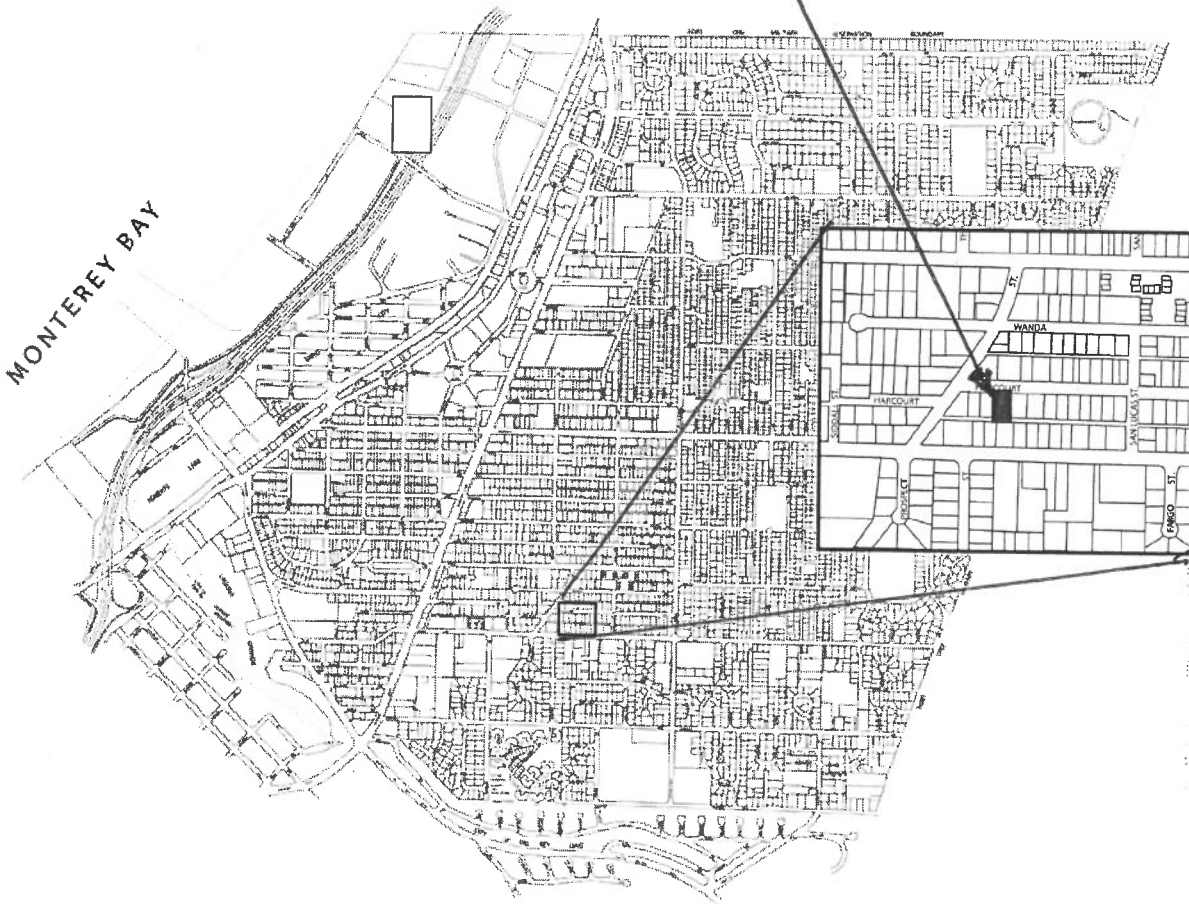
1122 Harcourt Ave

"Sofia's Children Home"

ATTACHMENT 1

Location Map

Project Site: 1122 Harcourt Avenue



Attachment 3
Site Photo



Proposed
Fence Line

View of front fence

**Attachment 3
Site Photo**



View of site looking west



View of front fence