



AGENDA
CITY OF SEASIDE
PLANNING COMMISSION

VIRTUAL ONLY
SPECIAL VIRTUAL MEETING
Wednesday, March 10, 2021
7:00 PM

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.

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 2 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 process, public comment will be accepted in writing during the meeting, but may not be read into the record during the meeting, but will be included as part of the final administrative record. Please do not plan to use the chat or Q&A features to put a comment on record. These resources are for tech support only

1. CALL TO ORDER

A. VIRTUAL MEETING INFORMATION

THIS MEETING CAN BE WATCHED VIA THE CITY OF SEASIDE YOU TUBE CHANNEL: [HTTPS://BIT.LY/SEASIDEYOUTUBE](https://bit.ly/seasideyoutube)
OR BY JOINING THE WEBINAR:
[HTTPS://US02WEB.ZOOM.US/J/83424069963](https://us02web.zoom.us/j/83424069963)
CALL IN PHONE NUMBER: (669) 900-9128
WEBINAR ID: 825 9694 8197

RECOMMENDATION: VIRTUAL MEETING INFORMATION

This meeting can be watched via the City of Seaside You Tube Channel

<https://bit.ly/SeasideYouTube>

Or by joining the webinar: <https://us02web.zoom.us/j/83424069963>

Call in Phone Number: (669) 900-9128

Webinar ID: 825 9694 8197

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 Board 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 two (2) minutes. Public Comments on specific agenda items are heard under that item. For the public record, please state your name.

6. BUSINESS ITEMS

- A. BOARD OF ARCHITECTURAL REVIEW APPLICATION NO. BAR-21-02. SEASIDE AMERICAN LEGION POST# 591, PROPERTY OWNER, AND RA SMITH, APPLICANT, ARE REQUESTING TO DEMOLISH THE EXISTING 5,391 SQUARE FOOT AMERICAN LEGION BUILDING AND TO CONSTRUCT A NEW 2,652 SQUARE FOOT AMERICAN LEGION BUILDING. THE PROJECT SITE IS LOCATED AT 1000 PLAYA AVENUE (APN# 012-524-004 AND 011-524-009) IN THE REGIONAL COMMERCIAL (CRG) ZONING DISTRICT. IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), THE PROJECT IS CATEGORICALLY EXEMPT CLASS 32, SECTION 15332.**

RECOMMENDATION: In accordance with Seaside Municipal Code (SMC) section 17.62.030.B.1 Architectural Review approval is required for the construction of nonresidential, multi-family residential, and mixed-use projects: all new construction and additions of 50 percent or greater to existing structures.

Staff recommends approval of BAR-21-02 for the new 2,652 sf proposed American

Legion service club building, subject to Attachment 1: Conditions of Approval and Attachment 2: Project Plans.

B. VARIANCE APPLICATION NO. VAR-21-01: CHAD BROWN, APPLICANT, AND DMITRY KISSELEV, PROPERTY OWNER, ARE REQUESTING A VARIANCE TO THE FOLLOWING RESIDENTIAL ZONE DEVELOPMENT STANDARDS (SEASIDE MUNICIPAL CODE (SMC) SECTION 17.12.050, TABLE 2-3) AS ASSOCIATED WITH THE POTENTIAL CONSTRUCTION OF A NEW TWO-STORY SINGLE-FAMILY RESIDENCE ON A 2,500 SQUARE FOOT(SF) LOT LOCATED IN THE 1000 BLOCK OF HAMILTON AVENUE (APN: 012-274-019), BETWEEN 1064 AND 1084 HAMILTON AVENUE, IN THE MEDIUM DENSITY RESIDENTIAL (RM) ZONING DISTRICT: 1. REDUCED SIDE YARD SETBACKS FROM 5' TO 3'; AND 2. A GREATER FLOOR AREA RATIO ALLOWANCE: FROM 45% (1,125 SF) TO 54% (1,358 SF) FOR A 233 SF INCREASE; AND 3. REDUCED PARKING REQUIREMENTS FROM TWO SPACES, WITH AT LEAST ONE WITHIN A GARAGE, TO ONE PARKING SPACE WITHIN A GARAGE. THE APPLICATION WILL BE REVIEWED IN ACCORDANCE WITH SMC 17.62.080. VARIANCE AND MINOR VARIANCE. THE VARIANCE IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT CLASS 5, SECTION 15305: MINOR ALTERATIONS IN LAND USE LIMITATIONS.

RECOMMENDATION: The Variance provides a process for City consideration of requests to waive or modify certain standards of this Zoning Ordinance when, because of special circumstances applicable to the property, including location, shape, size, surroundings, topography, or other physical features, the strict application of the development standards otherwise applicable to the property denies the property owner privileges enjoyed by other property owners in the vicinity and in the same zone. Additionally, the Variance shall be approved or denied by the Commission (SMC 17.62.080.A and C.1).

Staff recommends the Commission consider the project plans, project-supportive staff presentation and staff report, the applicant and/or designer statement(s), public comments, and the variance findings in the motion to approve or deny Variance 21-01, subject to Attachment 1: Draft Resolution and Attachment 2: Project Plans.

7. REPORTS FROM COMMISSIONERS

8. REPORTS FROM STAFF

9. ADJOURNMENT

Next Regularly Scheduled Meeting:
MARCH 24, 2021
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.



CITY OF SEASIDE STAFF REPORT

Item No.: 6.A.

TO: Planning Commission

BY: Dana Morrison

DATE: March 10, 2021

SUBJECT: **BOARD OF ARCHITECTURAL REVIEW APPLICATION NO. BAR-21-02. SEASIDE AMERICAN LEGION POST# 591, PROPERTY OWNER, AND RA SMITH, APPLICANT, ARE REQUESTING TO DEMOLISH THE EXISTING 5,391 SQUARE FOOT AMERICAN LEGION BUILDING AND TO CONSTRUCT A NEW 2,652 SQUARE FOOT AMERICAN LEGION BUILDING. THE PROJECT SITE IS LOCATED AT 1000 PLAYA AVENUE (APN# 012-524-004 AND 011-524-009) IN THE REGIONAL COMMERCIAL (CRG) ZONING DISTRICT. IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), THE PROJECT IS CATEGORICALLY EXEMPT CLASS 32, SECTION 15332.**

PURPOSE & RECOMMENDATION

In accordance with Seaside Municipal Code (SMC) section 17.62.030.B.1 Architectural Review approval is required for the construction of nonresidential, multi-family residential, and mixed-use projects: all new construction and additions of 50 percent or greater to existing structures.

Staff recommends approval of BAR-21-02 for the new 2,652 sf proposed American Legion service club building, subject to Attachment 1: Conditions of Approval and Attachment 2: Project Plans.

BACKGROUND

The project site consists of two parcels totaling 44,078 sq. ft. (1.01-acre site) and is located at the corner of the Del Monte Boulevard / Playa Avenue intersection. The project includes demolishing the existing 5,540 square-foot American Legion building and replacing it with a new 2,652 sf building to be located on the southern portion of the site. The site will also include construction of a new tire store with a total of 8,192

square feet of floor area with a 2,655 square-foot mezzanine, this will be occupied by America's Tire. The America's Tire portion of the project was reviewed and approved in May 2020; the American Legion is being developed separately from the retail store, America's Tire, and still requires BAR review and approval.

The surrounding land uses consist of a shopping center to the north, a liquor store and 60-unit motel to east, a 40-unit motel to the south and auto repair service uses across Del Monte Boulevard to the west. The project location map and site photos are included as Attachment 3: Location Map + Site Photos. The project site plan is included as part of Attachment 2: Project Plans.

Project Description

The proposed development will include the following requests:

Demolishing the existing 5,391 sf American Legion building, and reconstructing a new 2,652 sf American Legion building at a new location on the site. The interior floor plan of the new building will consist of 3 offices, a break room, a women's restroom, a men's restroom, a bar (with bar storage and bar back), and an open meeting room. The kitchen will be downsized from the existing commercial kitchen, to a stove and standard sink which will be located in the break-room. A fenced-in garden terrace with a covered entry is proposed to be located on the west side of the building, as well as a concrete terrace on the east side of the building. A trash enclosure will be located on the east end of the property along alley right-of-way, The Mall Extension. The hours of operation will continue to be from 11:00 a.m. to 9:00 p.m. Monday through Sunday, with post and unit meeting occurring Tuesday at 6:00 p.m.

Site improvements will include a new landscaping both for the America's Tire and American Legion portions of the site, as well as a 40-space parking lot, new underground utility services, and an underground chamber system. These overall site improvements were reviewed as part of the America's Tire application.

Building Design: Design renderings of the front façade are included as Attachment 4: Renderings. The project is consistent with SMC 17.14.040, Table 2-6 Commercial Zone Development Standards. The architectural theme of the American Legion will reflect a typical contemporary civic institution, generally consistent with the regional commercial center in which it is located. The design for the Legion will consist of a combination of a plaster exterior walls with tube steel columns, horizontal metal siding in addition to cedar slats siding, and aluminum clad fascia and stepped fascia. Exterior doors and windows will be aluminum dual glazed by Kawneer. The design also includes metal canopies along the main entrance frontage (broken into various lengths and depths); metal canopies are also proposed to be located on both the east and west frontages. The garden terrace, located on the western side of the building will be surrounded by a 48" high CMU wall with a plaster finish and will be topped by 24" glass panels.

The project proposes a 7' x 15' x 8'-6" tall (approximately 105 sf) roofed trash enclosure with a metal cover, corrugated metal door, and plaster finished CMU walls for the sides and rear (painted Meadowbrook X-48: a light tan) to match the Legion building. The roof would consist of steel columns with a metal canopy. The enclosure, with a concrete access apron, is proposed to be located in-line with the rear of the building (at the southern portion of the site) and faces The Mall Extension; mirroring the orientation of the America's Tire trash enclosure. The enclosure is also proposed to be screened by *Dodonaea viscosa purpurea* (purple hopseed bushes) which will be planted along the north, south and western frontages.

Proposed colors and materials are as follows (see Attachment 5: Colors + Materials):

- Walls: Exterior Plaster by La Habra. Color, Meadowbrook X-48 (light tan)
- Exterior Doors and Windows: aluminum dual glazed by Kawneer. Color, natural aluminum.
- Wood Slat at Front Wall: vertical grain cedar. Color, sealed natural
- Steel Columns/Canopies: painted structural steel beams, columns, and fascia. Color, balsamic reduction KM4904 (very dark grey).
- Horizontal Metal Siding: Masterline 16. Color, charcoal grey.
- Fascias/Leaderhead/Downspouts: painted aluminum. Color, volcanic rock #KM5826.
- Roof: TPO Membrane Roofing. Color, dark grey (sim-walls-metal).

Landscape Design: The existing landscaping on site was assessed by a certified Arborist. The assessment revealed that the six (6) existing *Myoporum* (mousehole trees) are infested with psyllid and are in decline; additionally, the 2 *Monrovia* (Hollywood Junipers) near Del Monte Blvd are mis-shaped (tumbling down) and will interfere with construction. As such, these eight (8) trees are proposed to be removed and replaced. The 6 *Myoporum* will be replaced with 6 *Melaleuca* (paper bark) trees and the 2 *Monrovia* will be replaced with 2 *Arbutus* (Marina madrone) trees. A Condition of Approval has been included to require the approval of a Tree Removal permit for these 8 trees. The existing Oak, Holly, and two Hollywood Junipers along the southern property line will be retained. A Condition of Approval has also been included to ensure the preservation of these 4 existing trees. The project also proposes to install three (3) New Zealand Christmas trees which will be added to the parking lot planters along with other groundcover and shrubs. Proposed shrubs include; Indian Hawthorn, Upright Rosemary, Yellow Daisy Bush, Australian Fuchsia, Coast Rosemary, and Purple Hopseed Bush. The Hopseed bush will be used as screening for the trash enclosure, while the other shrubs will be dispersed throughout the site. Perennials such as Lavender Cotton, Provence Lavender, Statice and Jerusalem Sage will be located in the planters along the building frontage and in the parking lot planters.

The proposed landscaping plan will be consistent with the following standards:

1. All parts of the site not devoted to structures and parking lot improvements will be landscaped.
2. The landscaping shall be provided throughout the parking lot as a combination of ground cover, shrubs, and trees.
3. The open areas between the property line and the public street right-of-way shall be landscaped.
4. The landscaping plan has been designed to address post-construction water quality site design.

The applicant will enter into a landscape maintenance agreement to ensure that the landscaping and the associated irrigation is maintained at all times. The irrigation system for the proposed project would be designed in compliance with the State of California Green Building Code, Title 24 energy efficiency requirements, and Assembly Bill 1881, which promotes water efficient landscaping. The irrigation system would be designed to reflect the existing site soil conditions and would be installed by hydrozones as established by the planting plan; all proposed plants are low hydrozone.

Lighting Plan: The Lighting will be a deferred submittal, which has been added as a Condition of Approval. This will require the applicant to submit a Lighting Plan for Administrative Review by the Planning Staff (the BAR can request the item to return to Board for review of said lighting plan, if preferred). The proposed lighting would only be approved at the Administrative Level if it is consistent with the following requirements:

- The outdoor lighting included as part of the proposed project will be consistent with Title 24, Building Energy Efficiency Standards
- Zoning Code Section 17.30.070.B: Energy Efficiency requires outdoor lighting utilize energy-efficient fixtures and lamps
- Zoning Code Section 17.30.070.C: Fixture Position requires all lighting fixtures be directed downward to reduce light bleed onto adjacent properties or public rights-of-way
- Zoning Code Section 17.30.070.E: Lighting Effects, which prohibits lights from blinking, flashing or having high intensity or brightness.

Vehicular Circulation and Parking: Project access was reviewed under the American Tire's Use Permit application which was reviewed and approved by the Planning Commission in May of 2020. The site will be accessed primarily via two entrance-exit driveways on The Mall Extension. The Mall Extension is a low speed, low volume two-way alley with a curb-to-curb width of 30 feet and is designed to serve as a parking lot access. It has curb returns and stop control at its intersections with Playa Avenue and La Salle Avenue. The Project is proposed to have a right turn entrance only on Del Monte Boulevard. Left turns in and out as well as exiting right turns will be prohibited. This will minimize traffic conflicts on the high volume, moderate speed major arterial

(Del Monte Boulevard). The existing mountable curb along Playa Avenue will be eliminated, which will improve traffic operations along the Project's Playa Avenue frontage. Truck deliveries would be made by trucks entering from Del Monte Boulevard and exiting onto The Mall Extension. Trucks will primarily exit toward Playa Avenue.

The parking space will consist of three rows of perpendicular parking stalls. The parking stalls will be shared by the two uses (America's Tire and the American Legion) with the far northern row consisting of 13 spaces being reserved for the tire store during the day time business hours (10 am- 5 pm) with the far southern row of 14 spaces adjacent to the American Legion being reserved for the American Legion during day time business hours (10 am-5 pm). The middle row consisting of 13 spaces will be shared by both uses during daytime business hours. The American Legion would have access to the entire parking lot in the evening. A retail tire store with minor vehicle repair will require 15 spaces (Four spaces per bay plus three spaces for showroom/offices). The American Legion, classified as a meeting hall, will require 30 spaces (one space per 100 square feet). Based on the differing hours of operation and the operational characteristics of the tire store whereby no vehicles are stored outside of the building after closing time, the on-site parking is compatible to allow for a shared use.

ENVIRONMENTAL REVIEW

The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301(e)(2) (Existing Facilities). Additions to existing structures are categorically exempt from CEQA review provided that the addition will not result in an increase of more than 10,000 square feet if 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 the area in which the project is located is not environmentally sensitive.

Evidence: The proposed project subject to design review involves the reconstruction of the American Legion building reducing in size from 5391 sf to 2652 sf. The project is located in an existing commercial area where all public services and facilities are available and is located on an existing developed property that is not environmentally sensitive.

STAFF ANALYSIS

Per SMC 17.62.030 Architectural Review, the following review considerations apply:

- Architectural considerations. Architectural considerations, including the character, quality, and scale of the design, architectural relationship with the site and other structures, building materials, colors, fencing, trash enclosure and walkway improvements, exterior lighting and signs, and the screening of exterior

appurtenances.

Evidence: The proposed improvements will consist of a modern design that respects the characteristics of the original architecture. The new siding and building colors will blend with the surrounding properties and improve the streetscape environment. The color palette is integrated into all architectural elements of the building and the building façade is articulated. The design includes recessed windows and entries as well as offset surfaces, columns and textured materials. Windows, doors and joints display a logical rhythm, avoiding over articulation and are made of clear glass.

- Landscape considerations. Landscape considerations, including the color, coverage, location, size, texture, and type of plant materials, provisions for irrigation, maintenance, and the protection of landscaped areas, and similar elements. The Board of Architectural Review shall encourage the planting of native and/or drought-tolerant landscaping in compliance with Section [17.30.040](#) (Landscaping Standards).

Evidence: The proposed landscaping provides adequate coverage and has a variety of size, textures and plant materials. Landscaping will be a combination of groundcover, shrubs and trees and will be planted on the project site, including at the primary entrances and property boundaries, creating screening from adjoining properties. All of the proposed landscaping are low hydrozone plants. Provisions for irrigation, maintenance and protection of new (and existing) landscaping has been included as part of the project plans and additional Conditions of Approval will ensure the preservation of the proposed landscaping.

- Lighting considerations. Proposed outdoor lighting, including the proposed placement of fixtures, type of fixtures, and illumination level

Evidence: The Lighting Plan will be a deferred submittal, which has been added as a Condition of Approval. This will require the applicant to submit a Lighting Plan for Administrative Review by Planning Staff. The proposed lighting plan shall be consistent with the following requirements:

- *The outdoor lighting included as part of the proposed project will be consistent with Title 24, Building Energy Efficiency Standards*
- *Zoning Code Section 17.30.070.B: Energy Efficiency requires outdoor lighting utilize energy-efficient fixtures and lamps*
- *Zoning Code Section 17.30.070.C: Fixture Position requires all lighting fixtures be directed downward to reduce light bleed onto adjacent properties or public rights-of-way*
- *Zoning Code Section 17.30.070.E: Lighting Effects, which prohibits lights*

from blinking, flashing or having high intensity or brightness.

The proposed improvements would be consistent with the following General Plan Goals and Policies:

Land Use Element Goal LU-2: Revitalize existing commercial areas.

Policy LU-2.1: Encourage consolidation of underperforming and under-utilized commercial properties:

Evidence: The proposed project would be compatible with surrounding land uses by maintaining the existing American Legion organization in the new building, retaining an existing civic institution; redevelopment of the site also include the addition of an auto-retail store (American Tire).

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 proposed project would provide for infill development within the boundaries of an underdeveloped site located along a major arterial roadway in an urbanized area of the city's commercial corridor. The proposed project would be consistent with the City's development standards, including obtaining the required Board of Architectural review to ensure compatibility with the land use characteristics of the local area and the adjacent existing development.

Goal LU8.1: Provide a level of flood control and protection that meets the needs of the community.

Policy LU-8.2: Ensure that developers provide stormwater retention/detention facilities and institute Best Management Practices that regulate runoff and siltation that meets local, State, and federal standards.

Evidence: The proposed development will be required to direct all on-site runoff to landscape swales or underground interceptors.

ATTACHMENTS

1. Attachment 1_Conditions of Approval
 2. Attachment 2_Project Plans
 3. Attachment 3_Location Map +Site Photos
 4. Attachment 4_Rendering
 5. Attachment 5_Colors + Materials
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Conditions of Approval
File No. BAR-21-02
March 10, 2021

Project Specific:

Planning:

1. Except as modified by these required conditions of approval, plans submitted for a building permit shall substantially conform to the plans identified as "American Legion" stamped as received on February 3, 2021, and approved at the Planning Commission Special Meeting on March 10, 2021.
2. All existing landscaping shall be maintained in a healthy, growing condition per Seaside Municipal Code Section 17.16.060.G.
3. All irrigation systems and related controls shall be maintained per Seaside Municipal Code Section 17.16.060.G.1 and 2.
4. Approval of a Tree Removal permit shall be required for the 6 Myoporum and 2 Monrovia trees proposed for removal. The 6 Myoporum shall be replaced with Melaleuca and the 2 Monrovia trees shall be replaced with Arbutus trees.
5. The existing Oak, Holly and 2 Hollywood Juniper trees located to on the southern end of the property (which are proposed to remain) must be preserved and properly protected with fencing installed at the dripline, or maximum extent feasible, during construction.
6. Applicant shall submit a Lighting Plan for Administrative Review by the Planning Staff. The Lighting Plan shall be consistent with the following requirements:
 - a) *The outdoor lighting included as part of the proposed project will be consistent with Title 24, Building Energy Efficiency Standards*
 - b) *Zoning Code Section 17.30.070.B: Energy Efficiency requires outdoor lighting utilize energy-efficient fixtures and lamps*
 - c) *Zoning Code Section 17.30.070.C: Fixture Position requires all lighting fixtures be directed downward to reduce light bleed onto adjacent properties or public rights-of-way*
 - d) *Zoning Code Section 17.30.070.E: Lighting Effects, which prohibits lights from blinking, flashing or having high intensity or brightness*
7. Signage shall require submittal and approval of an Administrative Sign Permit.

Building:

8. Plans submitted for a building permit shall be prepared and stamped by a licensed architect or engineer in accordance with the 2016 California Building Code.
9. A separate building permit application shall be submitted to the Building Division for each building proposed for reconstruction/modification.
10. Prior to initiation of any work within the public right of way, the Applicant and/or Property Owner shall submit an encroachment permit application to the Public Works Division for approval.

Public Works/Engineering:

11. Site plan shall clearly show and denote the following:
 - i. Property lines
 - ii. All easements
 - iii. Adjacent improvements.
12. Applicant shall work with the Engineering/Public Works Department for any required Lot Merger, if applicable.
13. Proposed project must implement stormwater Best Management Practices (BMPs) during construction. (SMC 8.46)
 - i. Complete and submit the Stormwater Compliance Tracking Form, with signature attached to the building permit application.
 - ii. A project specific Erosion and Sediment Control Plan (ESCP) is required of the applicant as part of building permit application.
 - iii. If the disturbed area is greater than one (1) acre, a Stormwater Pollution Prevention Plan (SWPPP) shall be prepared and a WDID obtained by the applicant from the State Water Quality Control Board. Submit the SWPPP for City of Seaside review.
14. Post-development peak stormwater runoff rates shall not exceed predevelopment rate. A prorated share of the cost of offsite erosion sediment, and flood control improvements and/or for maintenance to the principal drainage way may be required by the city engineer to handle the increase peak runoff and/or sediment generated by the project. (SMC 15.32.170)

- i. Provide hydrology and hydraulic calculations to substantiate retention of stormwater runoff for the entire redevelopment for the 24 hour-95% storm event.
- ii. As part of building permit application, develop civil grading and drainage plans to clearly show direction of stormwater drainage from new or redeveloped impervious surfaces.
- iii. Drainage shall not be directed to adjacent properties.

15. As required by Attachment 1 to Resolution No. R3-2013-0032 of the Central Coast Regional Water Quality Control Board, the applicant shall develop a Stormwater Control Plan demonstrating compliance with performance requirements #1, #2, #3, and #4 as applicable. (SMC 8.46.130)

- i. Applicant shall submit a Stormwater Control Plan and shall receive approval by the City prior to finalizing project civil grading and drainage plans. Stormwater Control Plan shall include hydrology and hydraulic calculations validating the design of conveyance, treatment and/or infiltration features.
 - 1. Provide a soils engineering report describing the soil type and soil hydrologic soil group substantiating design of structural stormwater control measures described within the Stormwater Control Plan.
 - 2. Conduct infiltration testing per the Riverside County-Low Impact Development BMP Design Handbook.
- ii. Applicant shall submit architectural and civil grading and drainage plans with building permit application in substantial conformance to the approved Stormwater Control Plan.
 - 1. Plans shall clearly denote, in table format, the pre-project impervious surface area, new impervious surface area created, replaced impervious surface area, and postproject impervious surface area.
- iii. Prior to issuance of occupancy, applicant shall execute and record as a deed restriction a Right of Entry and Maintenance Agreement. The Right of Entry and Maintenance Agreement shall:
 - 1. include a statement that grants the City complete access to the SCMs and their immediate vicinity for the purpose of inspection, sampling, testing of the SCMs; and
 - 2. include indemnity, insurance and security requirements in conformance with the template provided by the City, and
 - 3. include an Operation and Maintenance (O&M) plan approved by the City stating that the property owner

- will conduct, and accepts responsibility for, maintenance of all Stormwater Control Measures (SCMs), and
 - 4. include a legal description of the property, and describe the methods and procedures for conducting periodic inspections and maintenances of all SCMs, and
 - 5. require applicant to provide to the City each year during a period beginning on September 1 and ending no later than September 30 a statement certified by a licensed Civil Engineer or Qualified Stormwater Developer (QSD) registered in the State of California stating that the SCM maintenance is in accordance with the O&M plan, and
 - 6. include a statement that transfers responsibility for maintenance of SCMs to future owners of the property.
16. The American Legion portion of the Project shall provide a properly sized fats oils and grease trap or interceptor sized in accordance with the Uniform Plumbing Code. Provide documentation to substantiate grease interceptor size with building permit application.
17. All curb returns fronting the property shall include ADA ramps. All public sidewalks shall include an accessible path across project vehicle entrance.
- i. Should a dedication of property for the accessible pathway be required, the applicant shall, prior to issuance of occupancy, prepare and execute a quitclaim deed with legal description dedication ADA path across the entrance to the City of Seaside
18. The applicant shall verify and accurately show the locations of all utilities crossing the site and connecting the proposed facilities, including utility easements.
- i. Applicant to apply for sewer connection with Monterey One Water (M1W) and pay applicable capacity fees to M1W and Seaside County Sanitation District.
 - ii. New utility lines and connections within the right of way will require an Encroachment Permit from the Public Works Department. Slurry seal over trenching will be required the full width of the street for utility cuts within the right of way.
19. The Project entrance off Del Monte Boulevard shall be right in and right out only, a sign shall be posted on site indicating right turn only. A median

shall be installed on Del Monte to prevent left turns out of the development and adjust striping as necessary or submit a report from a licensed traffic engineer providing justification that a median is not warranted.

20. The portion of the alley adjacent to the development that is designated for the truck route shall be reconstructed structurally to accommodate the delivery trucks. The structural design of the pavement shall be designed by a licensed civil engineer.
21. Existing driveway approaches no longer being used as access shall be removed and replaced with standard curb gutter and sidewalk.
22. Prior to final inspection, any curb, gutter and sidewalk damaged during construction shall be replaced by a licensed concrete contractor in conformance with the most current applicable engineering standards, and upon the prior issuance of an Encroachment Permit from the Public Works Department.

Fire Department:

23. The project improvements shall be constructed in accordance with the 2016 California Fire Code.

Standard:

1. Board of Architectural Review approval shall not be valid until the applicant has signed and accepted these conditions of approval. Failure to sign the conditions and return them to the Planning Division within fifteen (15) days from the date of approval will result in the Board of Architectural Review approval becoming null and void.
2. Board of Architectural Review approval shall be valid for a period of one (1) year from the date of approval of this project in accordance with S.M.C.S. 17.54.080. Project approval will become null and void if a building permit is not exercised within one (1) year from date of approval.
3. Proposed changes to the approved application(s) must receive approval from the Board of Architectural Review, unless approved by the Director as outlined in Seaside Zoning Code Section 17.54.090.C.
4. 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.

5. Any proposed future development shall comply with the requirements of the Fire, Health, Planning, Code Enforcement, Building and Public Works Departments.
6. Any work within the public right-of-way must conform to current engineering standards and shall require an encroachment permit from the Public Works Department.
7. All storm water runoff shall be contained and disposed of on site and the storm water retention system shall be reviewed and approved by the Public Works Department.
8. The proposed project shall comply with the applicable requirements of the Monterey Peninsula Water Management District for the installation of new water fixtures and or modifications to existing landscaping or irrigation equipment.
9. The issuance of building permits involving the installation of new water shall be subject to the availability of an adequate supply of water and sewer capacity to serve the project.
10. Water conservation fixtures shall be provided in the proposed project.

BOARD OF ARCHITECTURAL REVIEW APPLICATION NO. BAR-21-02

This permit is hereby accepted upon the express terms and conditions hereof, and shall have no force or effect unless and until agreed to, in writing, by the applicant and property owner(s).

The undersigned hereby acknowledge the approved terms and conditions and agree to fully conform to, and comply with, said terms and conditions within the time frames approved by the City of Seaside Planning Commission.

Applicant's Signature

Date

Property
Date

Owner's

Signature



AMERICAN LEGION

1000 PLAYA AVENUE, SEASIDE, CA.

JAMES
NEWHALL
SMITH
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STAMP



PROJECT/CLIENT

PLAYA
DEVELOPMENT
GROUP

1000 PLAYA AVE.
SEASIDE, CA.

SHEET TITLE

COVER
SHEET

1. SCALE 1/8" = 1'-0"

2. REVISIONS

3. 11-29-70

4. 01-25-71

5. 02-02-71

6. PLANNING RE-SUBMITTAL

7. 02-02-71

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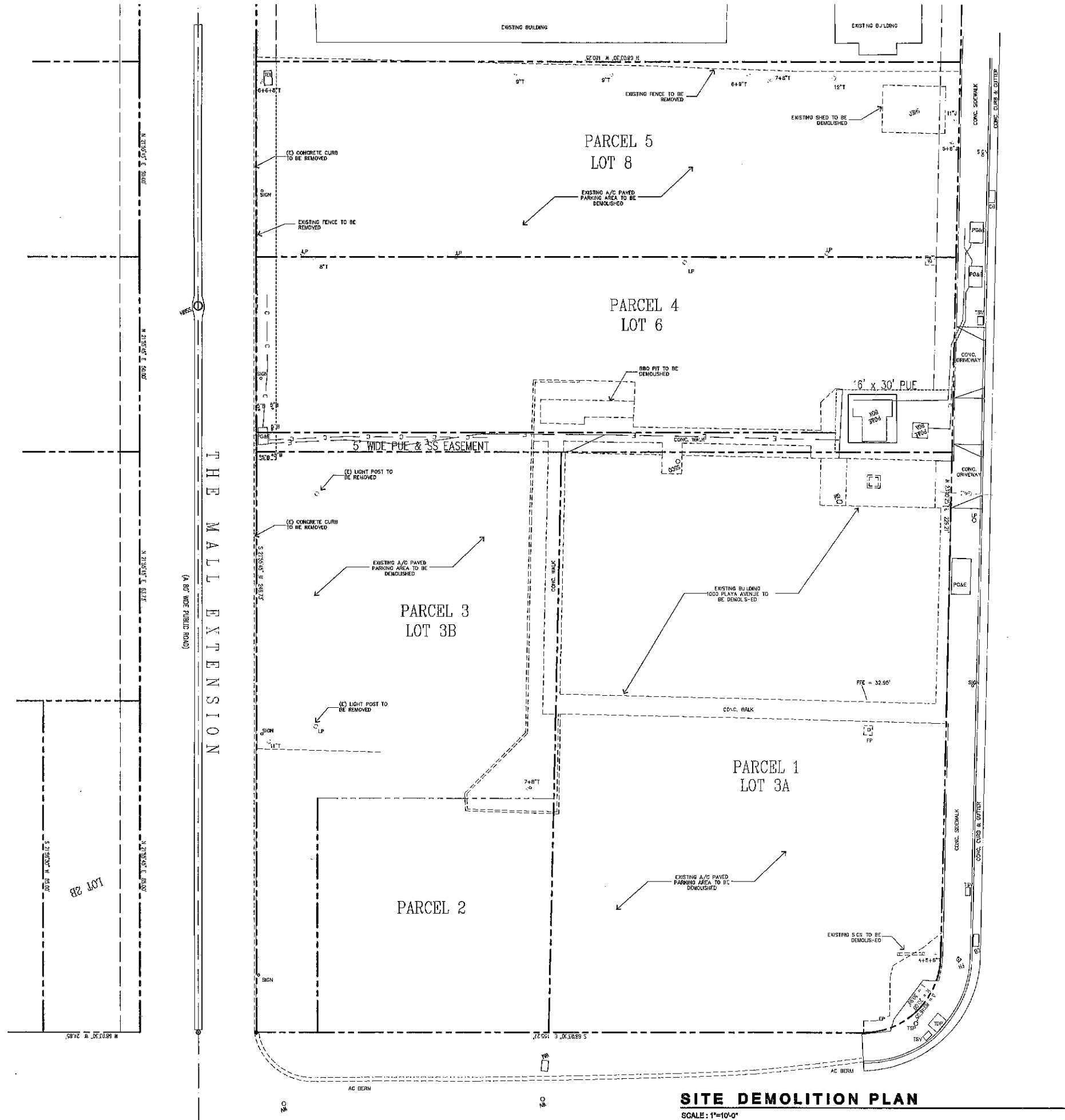
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SITE DEMO NOTES

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PROJECT/CLIENT

PLAYA
DEVELOPMENT
GROUP

1000 PLAYA AVE.
SEASIDE, CA.

SHEET TITLE

SITE DEMO
PLAN

ISSUE REVISIONS

- 1 11-22-20 PRELIM
- 2 01-05-21 PRELIM PLANNING SUBMITTAL
- 3 02-02-21 PLANNING RE-SUBMITTAL

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DATE

PROJECT NUMBER

SHEET NUMBER

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PROJECT/CLIENT

PLAYA
DEVELOPMENT
GROUP

1000 PLAYA AVE.
SEASIDE, CA.

SHEET TITLE

SITE PLAN

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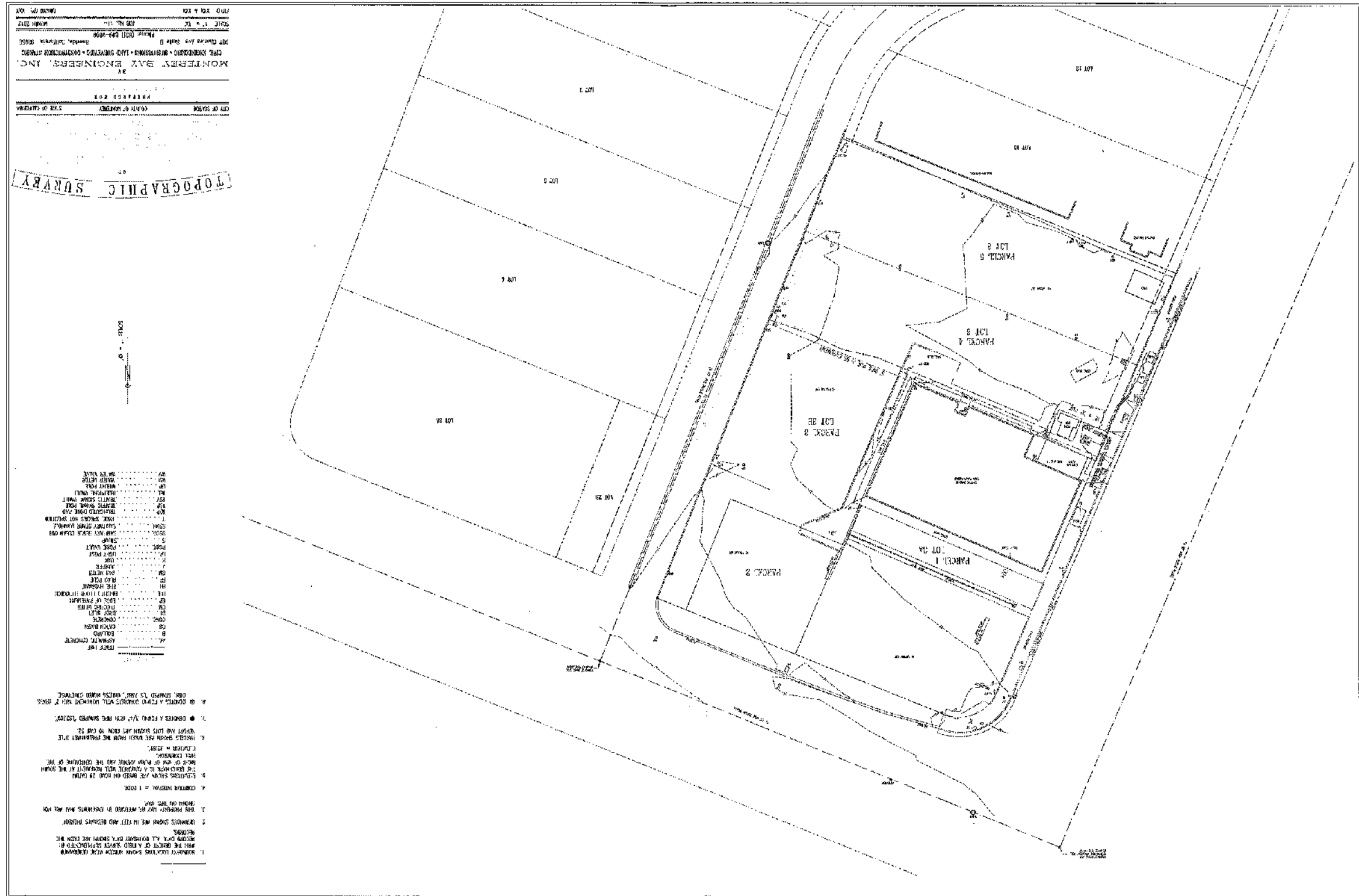
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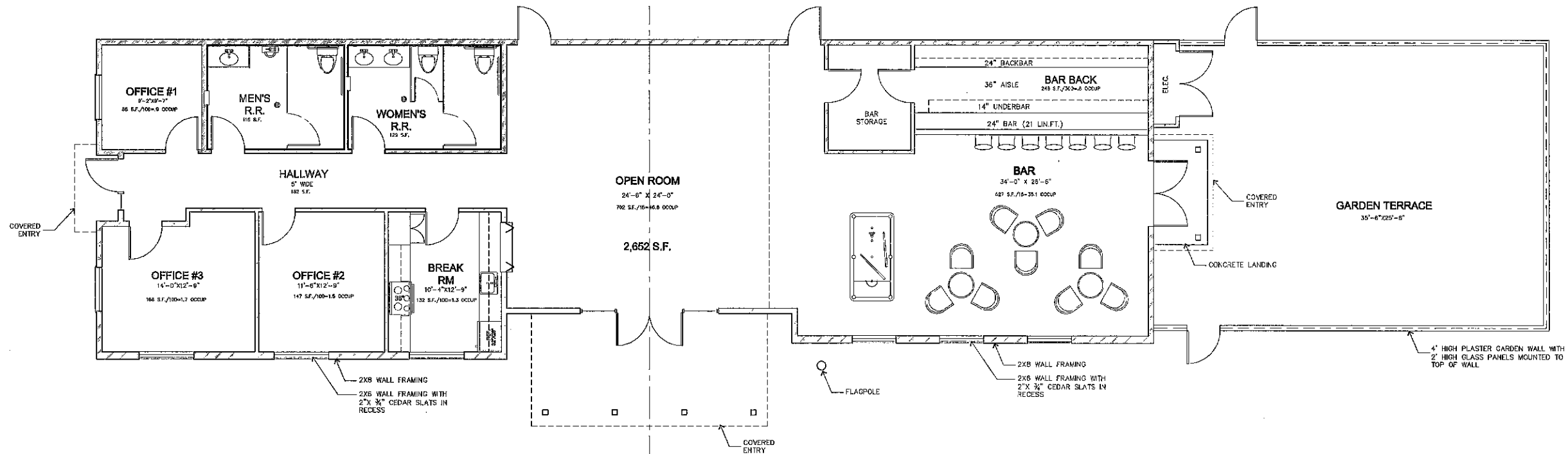
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FLOOR PLAN - PROPOSED BUILDING
SCALE: 1/4" = 1'-0"

2,652 S.F.



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PROJECT/CLIENT

**PLAYA
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GROUP**

1000 PLAYA AVE.
SEASIDE, CA.

SHEET TITLE

**PROPOSED
FLOOR
PLAN**

ISSUE REVISIONS

1 11-22-20 PRELIM

2 01-05-21 PRELIM PLANNING SUBMITTAL

3 02-02-21 PLANNING RE-SUBMITTAL

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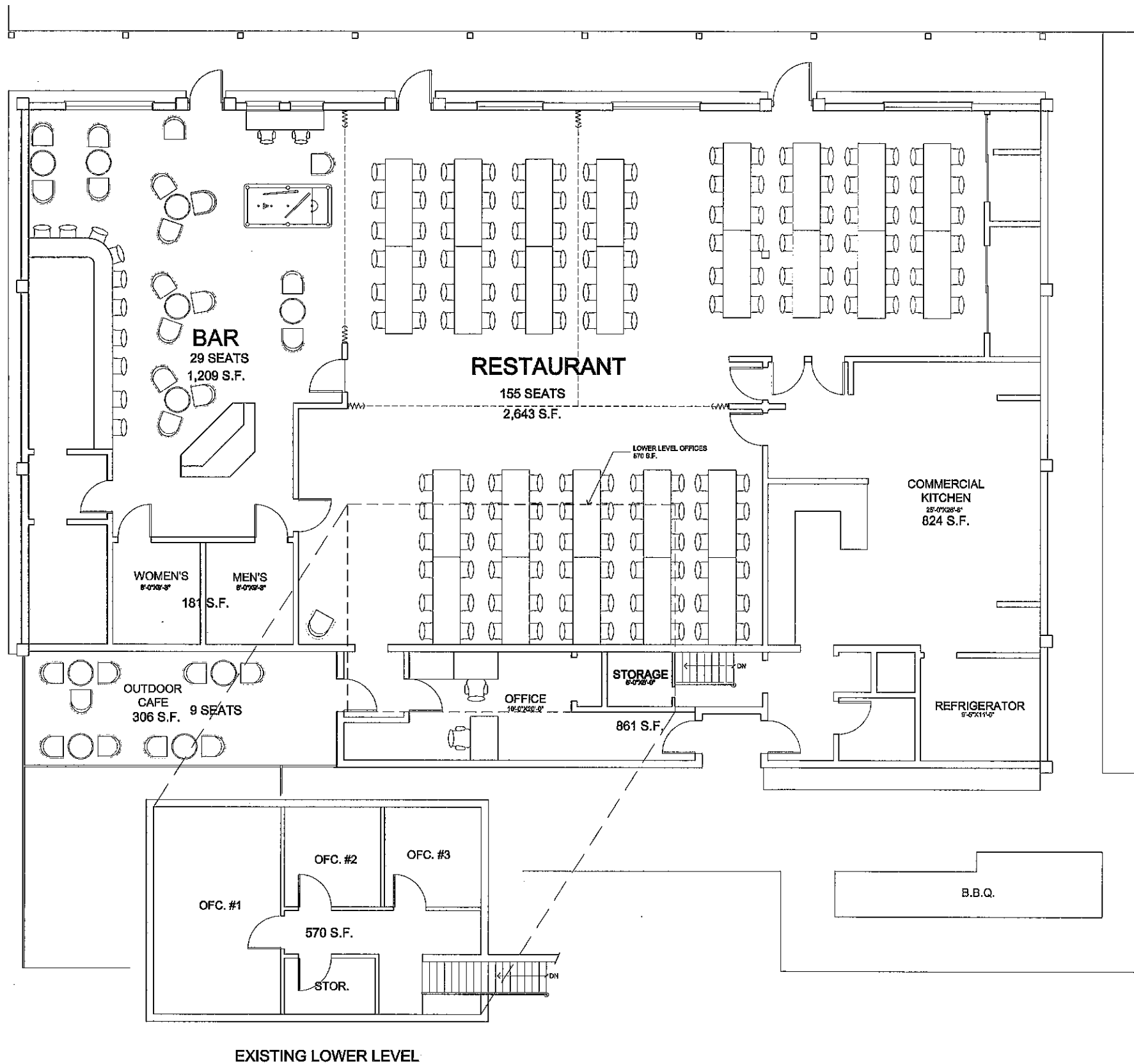
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EXISTING LOWER LEVEL

EXISTING FLOOR PLAN - AMERICAN LEGION
SCALE: 1/4" = 1'-0"



SQUARE FOOTAGE CALCS

RESTAURANT	2,643 S.F.
BAR	1,209 S.F.
KITCHEN	824 S.F.
OFFICE/STOR	561 S.F.
LOWER OFFICES	570 S.F.
RESTROOMS	181 S.F.
TOTAL SQ. FT	5,988 S.F.
OUTDOOR CAFE	306 S.F.

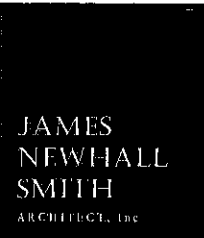
OCCUPANCY LOAD CALCS

AMERICAN LEGION	
2,412 S.F. Restaurant:	occup= 1 per 15 sf = 160 occup.
653 S.F. Kitchen:	occup= 1 per 300 sf = 2.1 occup.
860 S.F. Bar:	occup= 1 per 15 sf = 57 occup.
246 S.F. Bar back:	occup= 1 per 100 sf = 2.4 occup.
250 S.F. Offices:	occup= 1 per 100 sf = 2.5 occup.
570 S.F. Lower Ofc:	occup= 1 per 100 sf = 5.7 occup.
Total Occupant Load	230 occup.

WATER USE CALCS

BAR	29 SEATS X .02 = .58 A.F.
RESTAURANT*	155 SEATS X .02 = 3.1 A.F.
CAFE	9 SEATS X .02 = .18 A.F.
OFFICE	820 S.F. X .00007 = .057 A.F.
TOTAL WATER USAGE	= 3.92 A.F.

* FACILITY HAS A LARGE SCALE PERMITTED COMMERCIAL KITCHEN AND IS OPEN TO THE PUBLIC AT LEAST TWO DAYS PER WEEK FOR THE LAST FIFTY YEARS, AND REGULARLY SERVES MEALS TO LARGE GROUPS OF MEMBERS AND OTHER GROUPS



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PROJECT/CLIENT

PLAYA
DEVELOPMENT
GROUP

1000 PLAYA AVE.
SEASIDE, CA.

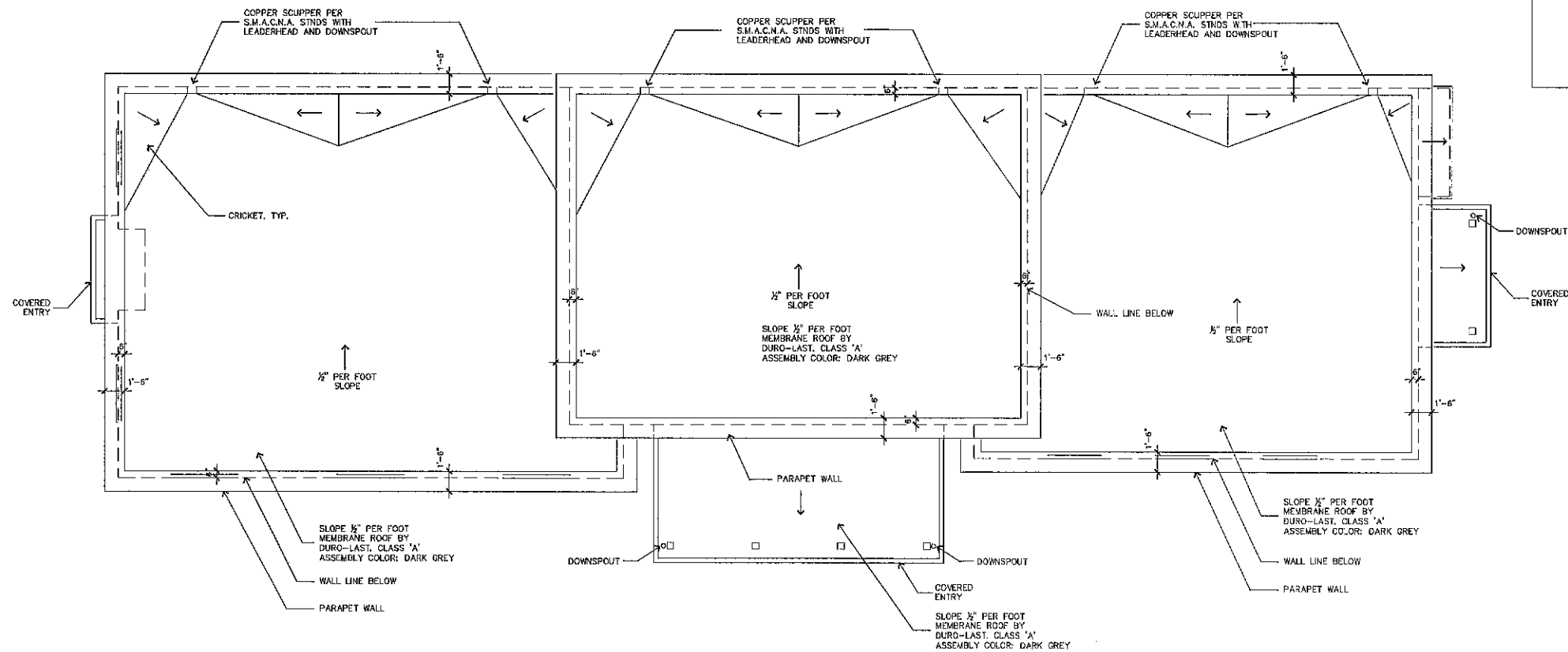
SHEET TITLE

EXISTING
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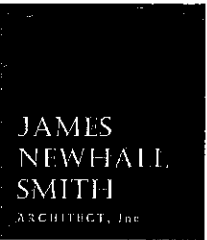


ROOF PLAN
SCALE: 1/8" = 1'-0"



ROOF PLAN NOTES

ROOF GUTTERS, IF ANY, SHALL BE PROVIDED WITH MEANS TO PREVENT ACCUMULATION OF LEAVES AND DEBRIS
WALL SIDING SHALL COMPLY WITH CRC R703, AND ATTACHMENT REQUIREMENTS PER TABLE R703.3(1)
FLASHING INSTALLATIONS AND LOCATIONS FOR WALLS AND ROOFS SHALL COMPLY WITH CRC R703.4
WOOD SIDING INSTALLATION SHALL COMPLY WITH CRC R703.5
EXTERIOR PLASTER INSTALLATION SHALL COMPLY WITH CRC R703.7 AND WEEP SCREEDS SHALL BE INSTALLED IN ACCORDANCE WITH R703.7.2.1



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PLAYA
DEVELOPMENT
GROUP

1000 PLAYA AVE.
SEASIDE, CA.

SHEET TITLE

ROOF
PLAN

ISSUE	REVISIONS
① 11-22-20 PRELIM	
② 01-05-21 PRELIM PLANNING SUBMITTAL	
③ 02-02-21 PLANNING RE-SUBMITTAL	
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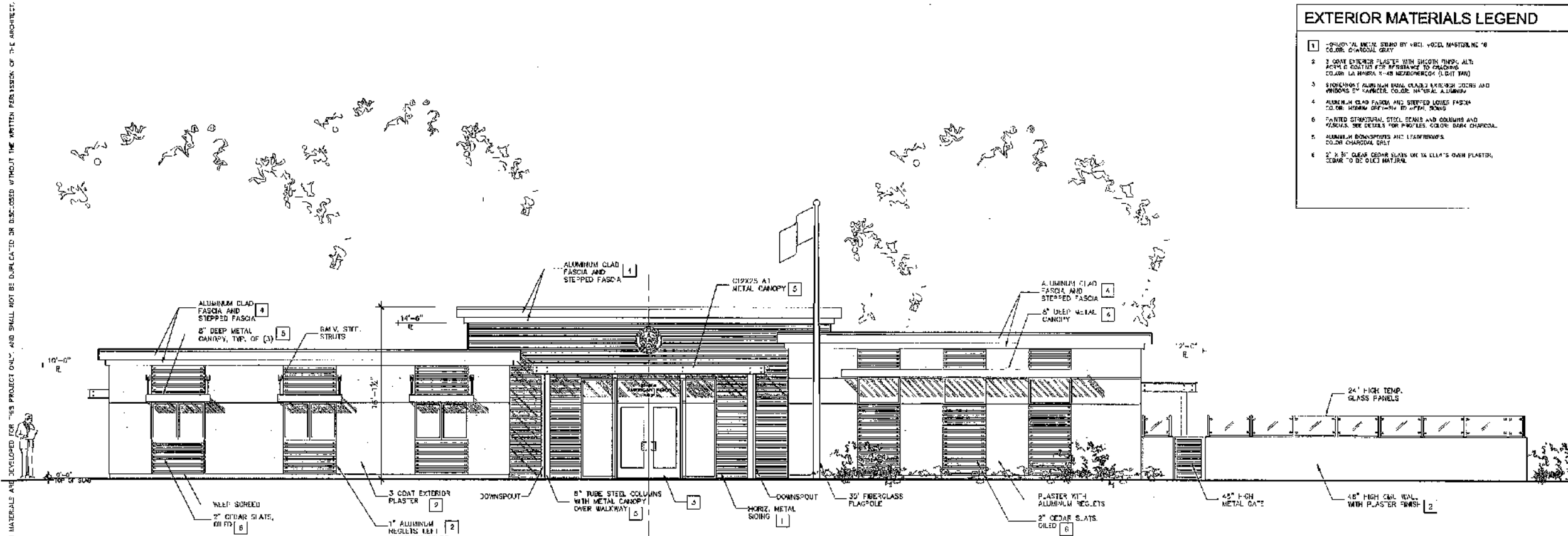
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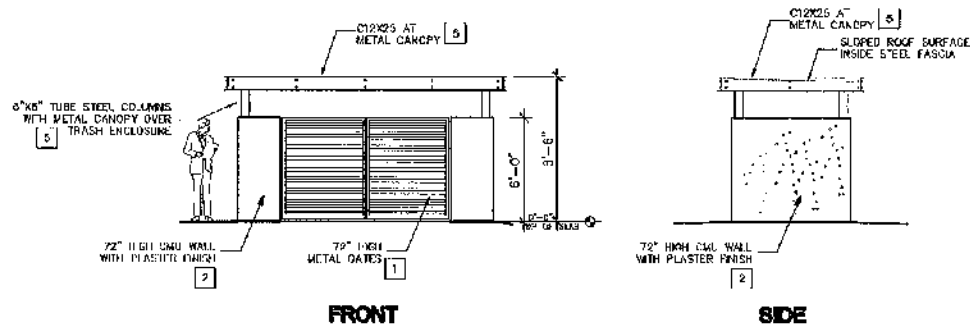
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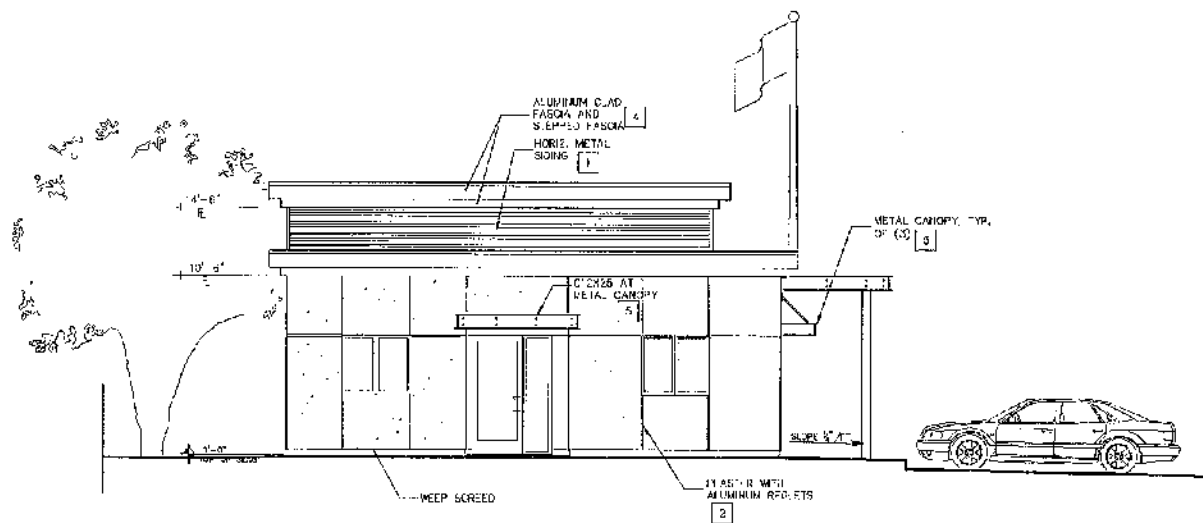
NORTH ELEVATION - ENTRY

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



TRASH ENCLOSURE

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



EAST ELEVATION

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

EXTERIOR MATERIALS LEGEND

1. 1/2" x 1/2" x 1/2" ALUMINUM BRASS BY 1/2" x 1/2" x 1/2" MASTERING NO. 10 COLOR: CHARCOAL GRAY
2. 3 COAT EXTERIOR PLASTER WITH SMOOTH FINISH, ALT. PLASTER FINISH FOR APPEARANCE TO MATCHING COLOR LA MINERAL 1-45 NEUTRAL/WHITE (1.011 100)
3. STONEWALL ALUMINUM BRASS 1/2" x 1/2" x 1/2" AND 1/2" x 1/2" x 1/2" ALUMINUM
4. ALUMINUM CLAD FASCIA AND STEPPED LOWER FASCIA COLOR: CHARCOAL GRAY WITH 1/2" x 1/2" x 1/2" BOWS
5. 1/2" x 1/2" x 1/2" STEEL BEAMS AND COLUMNS AND FASCIA. SEE DETAILS FOR PROFILES. COLOR: DARK CHARCOAL
6. ALUMINUM DOWNSPOUTS AND LEAFLETTERS COLOR: CHARCOAL GRAY
7. 2" x 8" CLEAR CEDAR SLATS USE IN ALLER'S OWN PLASTER, COLOR: TO BE OILED NATURAL

JAMES NEWHALL SMITH

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PROJECT/CLIENT

PLAYA DEVELOPMENT GROUP

1000 PLAYA AVE.
SEASIDE, CA.

SHEET TITLE

EXTERIOR ELEVATIONS

ISSUE REVISIONS

1. 11-22-20 PULL
2. 01-03-21 PRELIM PLANNING SUBMITTAL
3. 02-02-21 PLANNING RE-SUBMITTAL

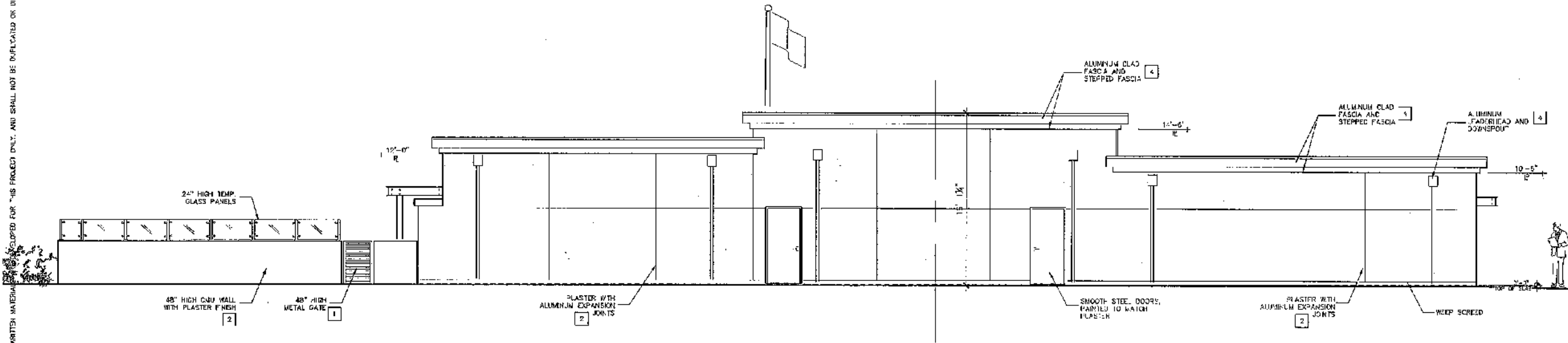
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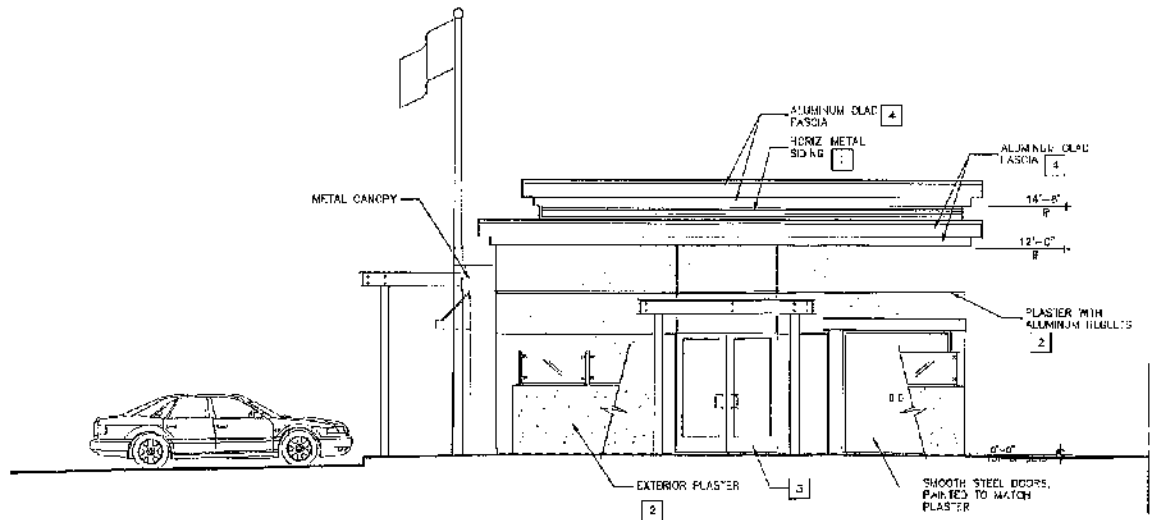
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SOUTH ELEVATION - REAR
SCALE: 1/8" = 1'-0"



WEST ELEVATION
SCALE: 1/8" = 1'-0"

EXTERIOR MATERIALS LEGEND

- 1 HORIZONTAL METAL SIDING BY NORD, MODEL MASTER, HE 66, COLOR CHARCOAL GRAY
- 2 2.00" EXTERIOR PLASTER WITH SHOWN FINISH, 1/2" ACQUISITION, COATING FOR RESISTANCE TO CRACKING, COLOR: LA FAMA, E-48, MEDIUM PINK (CONT. TAY)
- 3 SMOOTH ALUMINUM BLUE, BLAZED EXTERIOR DOORS AND SMOOTH BY NUMBER, COLOR: MEDIUM BLUE
- 4 ALUMINUM CLAD FASCIA AND STEPPED LOWER FASCIA, COLOR: MEDIUM BLUE, 1/2" ALUMINUM
- 5 PAINTED EXTERIOR STEEL DOORS AND DOORWAYS AND FASCIA, SEE NOTES FOR DETAILS, COLOR: CHARCOAL, COLOR: CHARCOAL GRAY
- 6 2" X 8" CLAD DOOR GLASS ON 1X GLASS OVER PLASTER, COLOR: TO BE SUEZ NATURAL

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PROJECT/CLIENT

**PLAYA
DEVELOPMENT
GROUP**

1000 PLAYA AVE.
SEASIDE, CA.

SHEET TITLE

**EXTERIOR
ELEVATIONS**

SCALE REVISIONS

- 1 11-22-20
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- 2 07-25-21
HALL PLANNING SUBMITTAL
- 3 12-02-21
PLANNING RE-SUBMITTAL

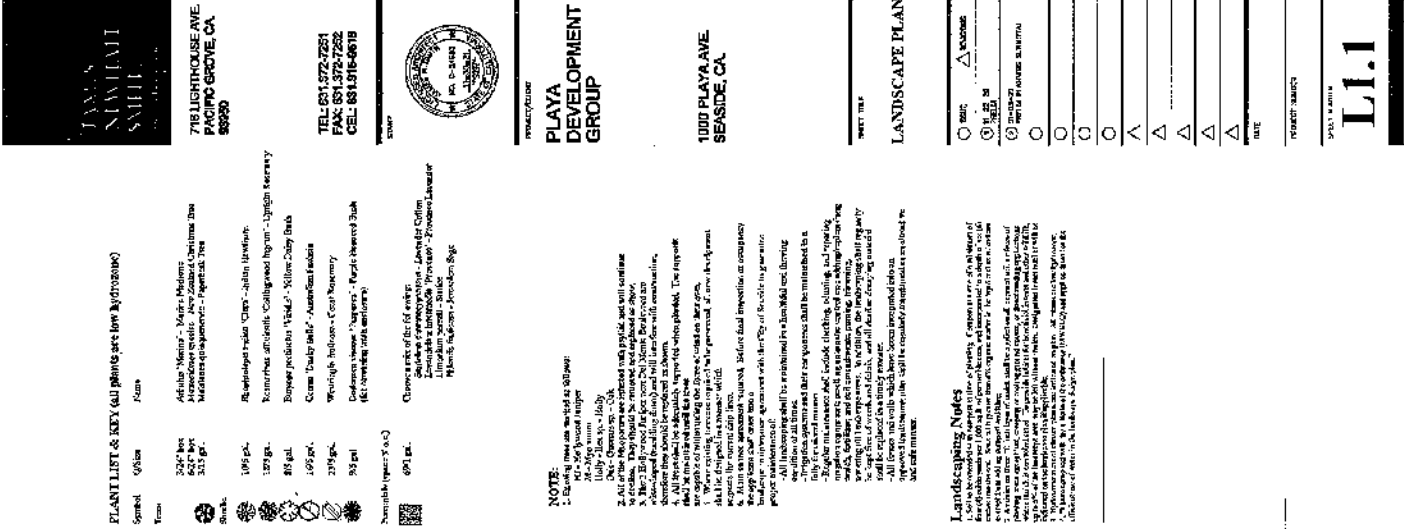
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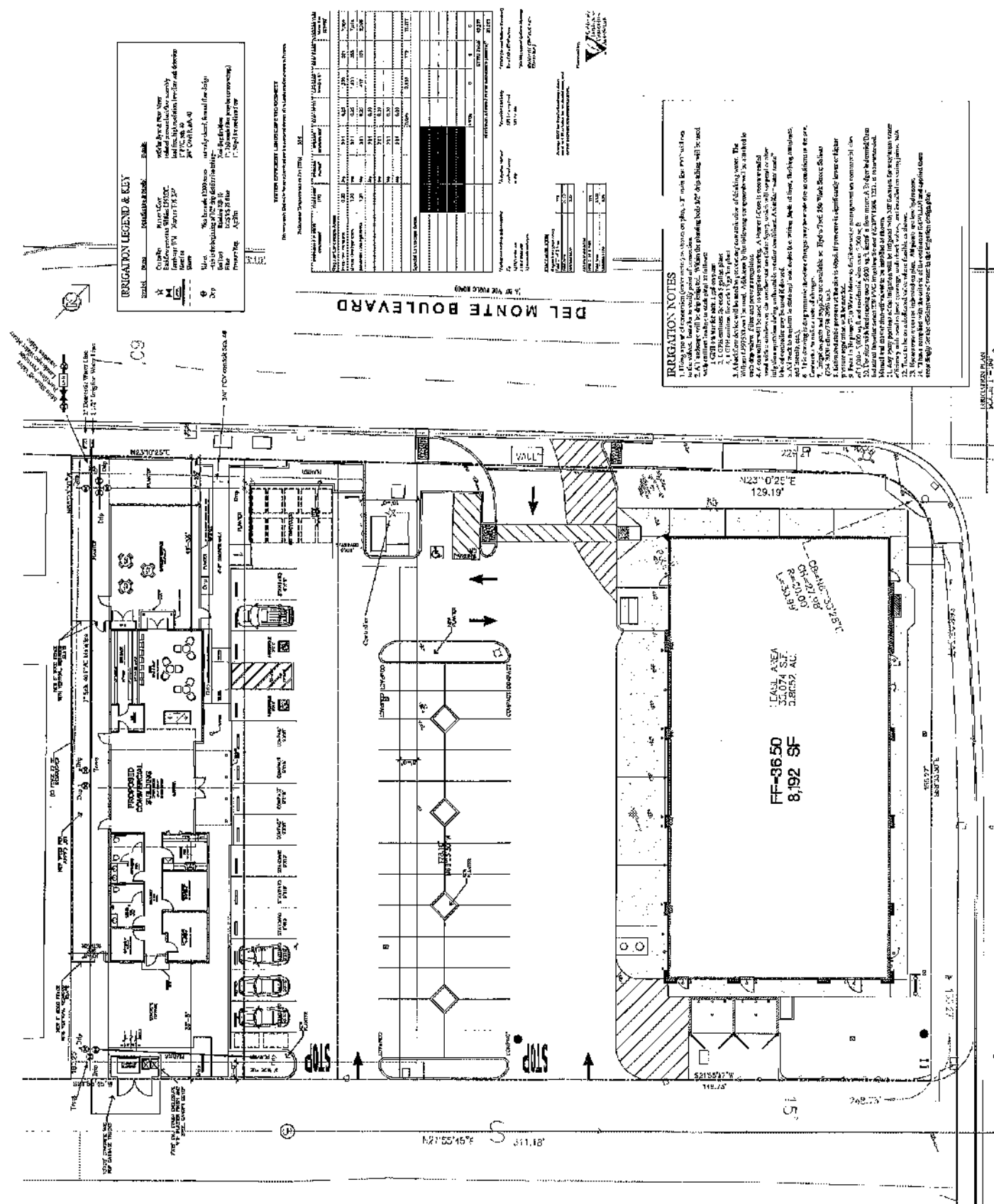
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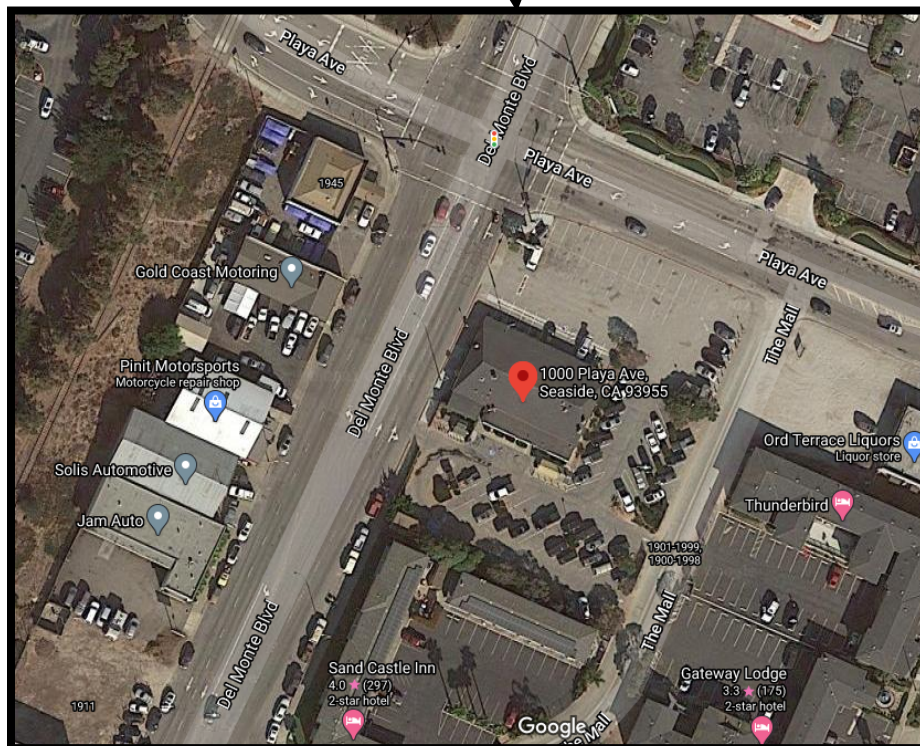
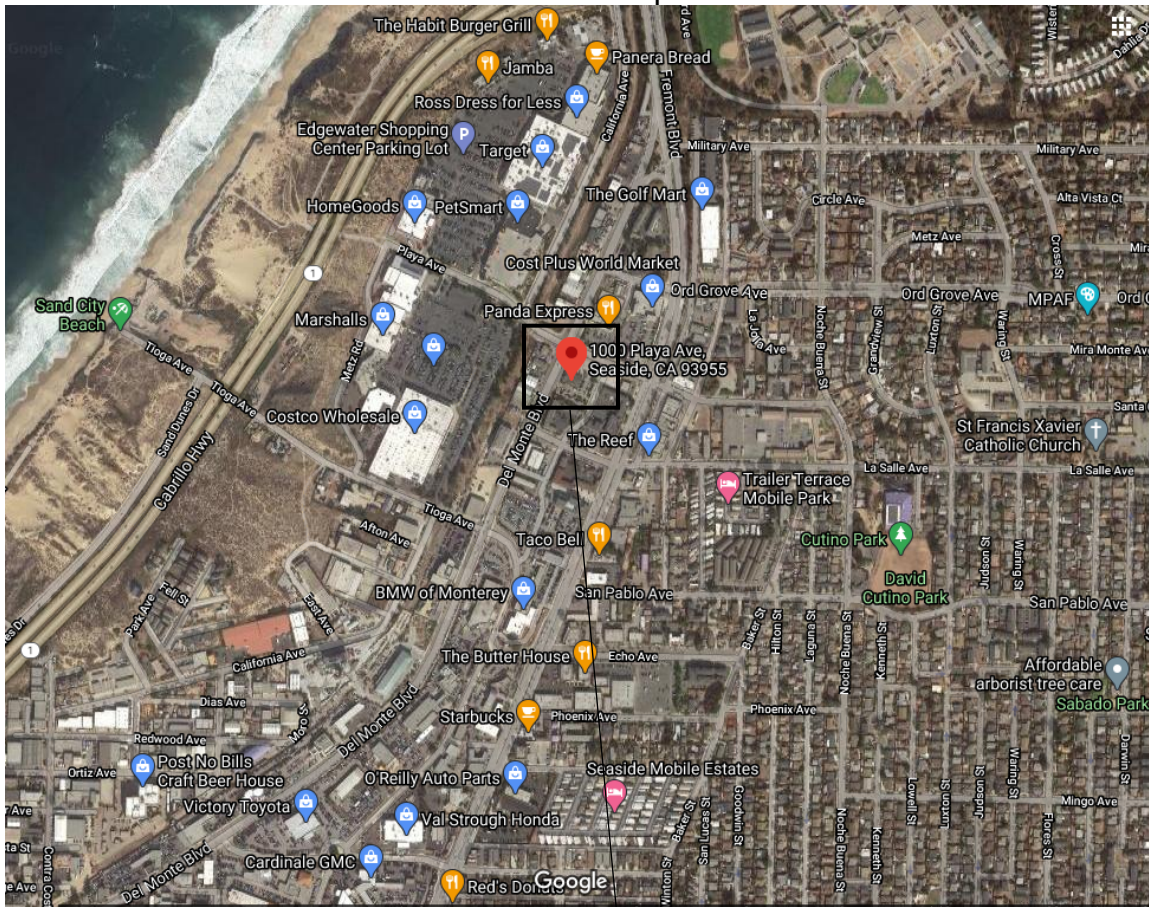


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91	☐	91	☐
92	☐	92	☐
93	☐	93	☐
94	☐	94	☐
95	☐	95	☐



Attachment 2: Location Map and Site Photos

Location Map



Site Photos



View from Playa Ave looking south.



View from Del Monte Blvd looking southeast.



View from Del Monte Blvd looking east.



View from Del Monte Blvd looking north.



View from Playa Ave looking southwest.



View from The Mall Extension looking west.



View from The Mall Extension looking northwest





Attachment 5: Colors + Materials

AMERICAN LEGION

1000 PLAYA AVE., SEASIDE, CA.

A.P.N. #011-524-009

KM5826 Volcanic Rock

FASCIAS/LEADERHEAD/DNSPOUTS
PAINTED ALUMINUM
COLOR: VOLCANIC ROCK #KM5826

EXTERIOR DOORS / WINDOWS
ALUMINUM STORERONT/ARCADIA
COLOR: NATURAL ALUMINUM

WALLS
EXTERIOR PLASTER BY LA HABRA
COLOR: MEADOWBROOK X-48

WALLS-METAL
HORIZONTAL METAL SIDING
MASTERLINE 16
COLOR: CHARCOAL GREY

ROOFING
TPO MEMBRANE ROOFING
COLOR: DARK GREY (SIM-WALLS-METAL)

KM4904 -Balsamic Reduction

STEEL COLUMNS/CANOPIES
COLOR: BALSAMIC REDUCTION
KM 4904 (VERY DARK GREY)

WOOD SLATS AT FRONT WALL
VERTICAL GRAIN CEDAR
COLOR: SEALED NATURAL

James
Newhall
Smith
ARCHITECT, INC.



FASCIAS/LEADERHEAD/DNSPOUTS
PAINTED ALUMINUM
COLOR: VOLCANIC ROCK #KM5826



EXTERIOR DOORS / WINDOWS
ALUMINUM STORERONT/ARCADIA
COLOR: NATURAL ALUMINUM



WALLS
EXTERIOR PLASTER BY LA HABRA
COLOR: MEADOWBROOK X-48



WALLS-METAL
HORIZONTAL METAL SIDING
MASTERLINE 16
COLOR: CHARCOAL GREY

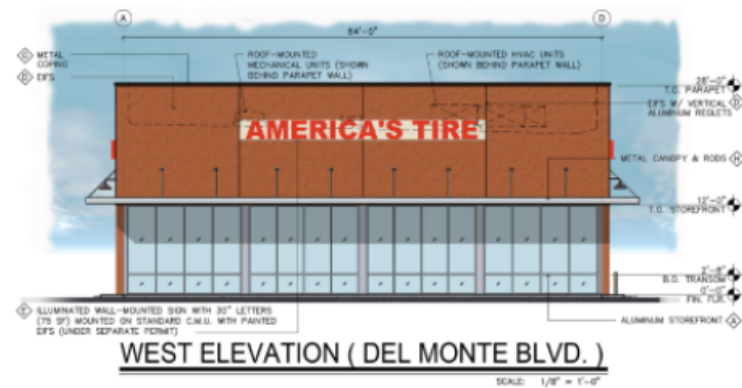
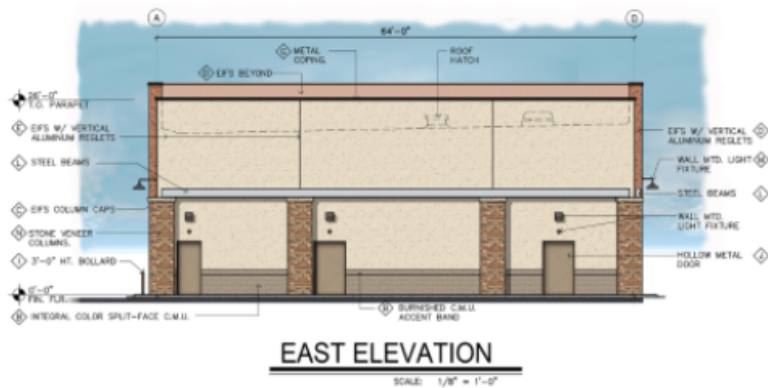
ROOFING
TPO MEMBRANE ROOFING
COLOR: DARK GREY (SIM-WALLS-METAL)



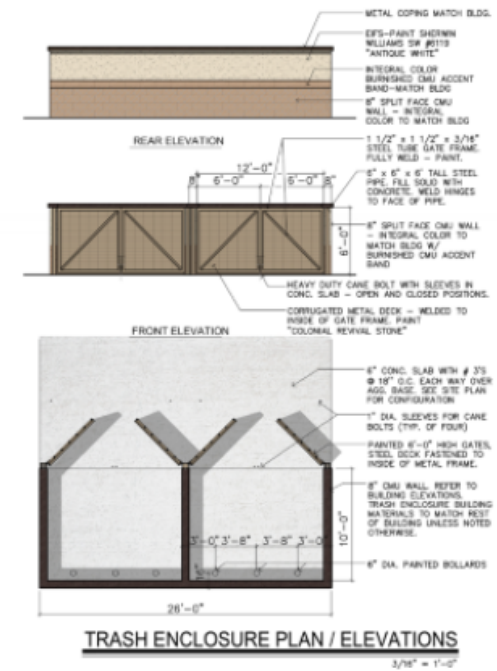
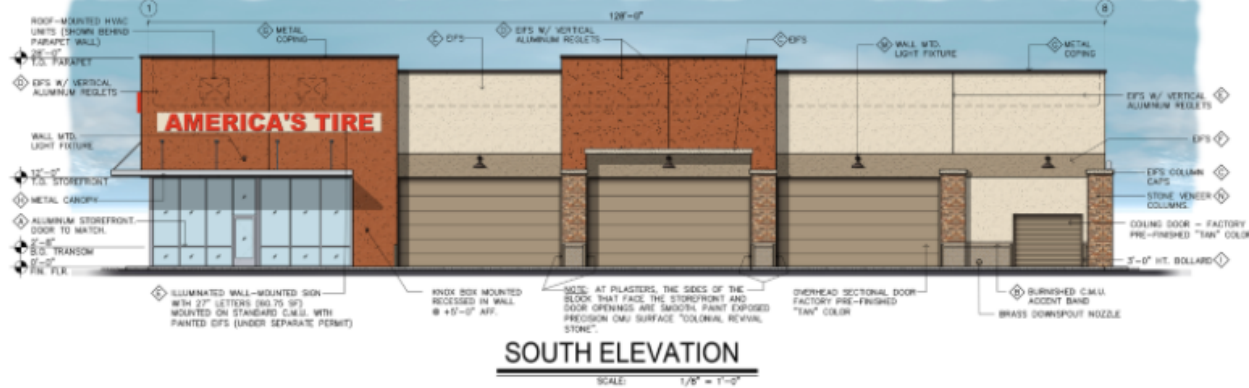
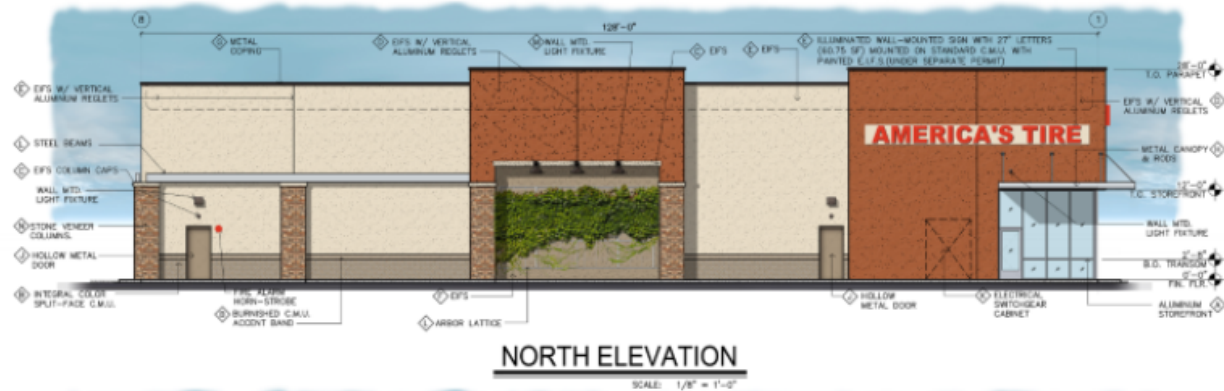
STEEL COLUMNS/CANOPIES
COLOR: BALSAMIC REDUCTION
KM 4904 (VERY DARK GREY)



WOOD SLATS AT FRONT WALL
VERTICAL GRAIN CEDAR
COLOR: SEALED NATURAL



FINISH LEGEND	
◆	STOREFRONT: KARNEER TR-FAB 431 "CLEAR ANODIZED FINISH"
◆	INTERIOR COLOR C.M.U. (SPUIT-FACE OR BURNISHED AS NOTED) COLOR TO MATCH "COLONIAL REVELAL STONE"
◆	EPS-STONE CAPS PAINT SHERWIN WILLIAMS SW #6119 "ANTIQUE WHITE"
◆	EPS-PAINT SHERWIN WILLIAMS SW #7703 "EARTHEN JUT" W/ VERTICAL ALUMINUM RESLETS
◆	EPS-PAINT SHERWIN WILLIAMS SW #6119 "ANTIQUE WHITE" W/ VERTICAL ALUMINUM RESLETS
◆	EPS-PAINT SHERWIN WILLIAMS SW#2327 "COLONIAL REVELAL STONE"
◆	METAL COPING - FACTORY PAINTED / INTEGRAL COLOR TO MATCH DARK BRONZE FINISH
◆	METAL CANOPY PAINT SHERWIN WILLIAMS SW #6246 NORTH STAR
◆	STEEL BOLLARDS- PAINTED TO MATCH "COLONIAL REVELAL STONE"
◆	HOLLOW METAL DOORS - HOLLOW METAL DOORS PAINTED TO MATCH "COLONIAL REVELAL STONE"
◆	ELECTRICAL SWITCHGEAR CABINET - PAINTED TO MATCH SHERWIN WILLIAMS SW #7703 "EARTHEN JUT"
◆	STEEL BEAMS & LATTICE-PAINT SHERWIN WILLIAMS SW #6246 NORTH STAR
◆	LIGHT FIXTURES - DARK BRONZE FINISH
◆	CULTURED STONE-COUNTRY LEDGE STONE "CARMEL"



REV:
DATE: 02.28.20

ALT - 1L



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 6.B.

TO: Planning Commission

BY: Beth Rocha, Associate Planner

DATE: March 10, 2021

SUBJECT: VARIANCE APPLICATION NO. VAR-21-01: CHAD BROWN, APPLICANT, AND DMITRY KISSELEV, PROPERTY OWNER, ARE REQUESTING A VARIANCE TO THE FOLLOWING RESIDENTIAL ZONE DEVELOPMENT STANDARDS (SEASIDE MUNICIPAL CODE (SMC) SECTION 17.12.050, TABLE 2-3) AS ASSOCIATED WITH THE POTENTIAL CONSTRUCTION OF A NEW TWO-STORY SINGLE-FAMILY RESIDENCE ON A 2,500 SQUARE FOOT(SF) LOT LOCATED IN THE 1000 BLOCK OF HAMILTON AVENUE (APN: 012-274-019), BETWEEN 1064 AND 1084 HAMILTON AVENUE, IN THE MEDIUM DENSITY RESIDENTIAL (RM) ZONING DISTRICT: 1. REDUCED SIDE YARD SETBACKS FROM 5' TO 3'; AND 2. A GREATER FLOOR AREA RATIO ALLOWANCE: FROM 45% (1,125 SF) TO 54% (1,358 SF) FOR A 233 SF INCREASE; AND 3. REDUCED PARKING REQUIREMENTS FROM TWO SPACES, WITH AT LEAST ONE WITHIN A GARAGE, TO ONE PARKING SPACE WITHIN A GARAGE. THE APPLICATION WILL BE REVIEWED IN ACCORDANCE WITH SMC 17.62.080. VARIANCE AND MINOR VARIANCE. THE VARIANCE IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT CLASS 5, SECTION 15305: MINOR ALTERATIONS IN LAND USE LIMITATIONS.

PURPOSE & RECOMMENDATION

The Variance provides a process for City consideration of requests to waive or modify certain standards of this Zoning Ordinance when, because of special circumstances applicable to the property, including location, shape, size, surroundings, topography, or other physical features, the strict application of the development standards otherwise applicable to the property denies the property owner privileges enjoyed by other property owners in the vicinity and in the same zone. Additionally, the Variance shall be

approved or denied by the Commission (SMC 17.62.080.A and C.1).

Staff recommends the Commission consider the project plans, project-supportive staff presentation and staff report, the applicant and/or designer statement(s), public comments, and the variance findings in the motion to approve or deny Variance 21-01, subject to Attachment 1: Draft Resolution and Attachment 2: Project Plans.

BACKGROUND

In 1980 to 2006, the SMC contained development regulations for small lots in section 17.66.040 *Design Flexibility of Substandard Lots* (see Attachment 2). In 2006, the city did an entire code update that included the removal the substandard lot development standards. As a result, a Variance is the only method by which a reasonably sized single-family home may be constructed on a small/substandard lot. The property owner purchased the vacant parcel in December 2019 and was not aware of all the necessary entitlements, but they have been working with a team of designers to put forth a good design that complements the existing neighborhood and achieves their housing needs.

STAFF ANALYSIS

Project Description:

The Variance is for reduced side yard setbacks, an increase in the allowable floor area ratio, and reduced parking requirements associated with a potential 1,358sf two story single-family residence on a 2,500sf lot (25'w x 100'd):

1. Reduced side yard setbacks: from 5' to 3' (SMC 17.12.050, Table 2-3 Residential Zone Development Standards) and a 15" architectural projection (eave) into the requested reduced side setback (SMC 17.30.100.e Table 3-5 *Allowed Architectural Projections Into Setbacks*); and
2. Increased floor area ratio: from 45% (1,125sf) to 54% (1,358sf) (SMC 17.12.050, Table 2-3 *Residential Zone Development Standards*); and
3. Reduced parking requirements: from two spaces, with at least one within a garage, to one parking space within a garage (SMC 17.34.040 Table 3-8 *Parking Requirements by Land Use*).

Project site and immediate surroundings:

The 2,500sf (25'w x 100'd) site is located on the 1000 block of Hamilton Avenue (APN: 012-274-019) between 1064 and 1084 Hamilton Avenue, both of which have driveways and/or parking areas immediately abutting the subject property that provide a buffer of approximately 29' and 12' between the existing residences and the subject site's property lines, respectively. The project site is immediately adjacent to single-story residential properties on Hamilton Avenue and a three story, multi-family residential structure to the rear, across the alley and fronting on Trinity Avenue. This block of Hamilton is a mix of two –story multifamily and single-story, single-family residential

buildings (see Attachment 3: Photos, Attachment 4: Neighborhood Map - Density and Height).

Neighborhood characteristics:

The majority of the lots on this block of Hamilton Avenue have lot widths greater than 70' and are primarily developed with a mix of single family and multifamily residences, ranging in height from 1-story to 3-stories.

Additionally, three nearby contiguous parcels of 2,500sf each (1087, 1089, and 1091 Hamilton Ave.) were each developed with single-family homes observing 3' side setbacks for 75% of the building length, with a FAR of 37%, and single car garages in 1998 when SMC 17.66.040 *Design Flexibility of Substandard Lots* was in effect.

Variance Analysis:

1. Reduced side yard setbacks: from 5' to 3'. The site is 25' wide and the code required setback of 5' is too limiting and would only allow for a maximum structure width, from exterior wall to exterior wall, of 15'. This width would be further reduced nearly 2' (13'-7/8") when the property boundary wall and structure walls are considered. Conversely, the 5' setback is intended for lots meeting the minimum lot width of 50' and would allow for a structure width of 40', which is not limiting to livability. To illustrate this difference in percentages, the 25' lot and 3' requested setback represents a 12% setback requirement, while the 50' lot width and 5' setback represents a 10% setback requirement. Additionally, and contingent upon approval of the reduced side yard setbacks, there is a requested 15" architectural projection (eave) into the requested reduced side setback. SMC 17.30.100.E. Table 3-5 *Allowed Architectural Projections into Setbacks* limits projections to no closer than three feet to any side property line, under observance of standard setbacks. Unlike the three nearby contiguous 2,500sf parcels (1087, 1089, and 1091 Hamilton Ave.) that were developed concurrently and only provide a separation of 6' between one another (3' side setbacks), the subject site and adjacent homes to either side (1064 and 1084 Hamilton Avenue) would be separated by considerable distances. Both of the adjacent properties have driveways and/or parking areas immediately abutting the subject property, which serve as a buffer of approximately 29' (1064 Hamilton) and 12' (1084 Hamilton) between the existing residences and the side property lines of the project site. Therefore, granting the setback and architectural projection variance would not be creating a hardship on the adjacent properties, such as limiting the availability of light and air.

The subject property width is the main physical hardship of the site. The proposed structure width that would be permitted with the requested setback reduction, measured from interior wall to interior wall, is 17'-7/8" which provides for a reasonable interior living space that is proportional to the lot width.

2. Increased floor area ratio: from 45% (1,125sf) to 54% (1,358sf).

Observance of the required floor area ratio of 45% would only allow for a 1,125 square foot residence on the 2,500sf lot. The requested variance is a relatively minimal increase of 233sf, from 45% (1,125sf/562sf average per floor) to 54% (1,358sf). The additional square footage would not substantially modify the appearance or bulk of the

structure, which is approximately 17'w x 45'd. To visualize the inconsequential increase, the additional 233sf divided between two floors translates to an additional 7' on average in building length per floor and even less apparent mass if evenly distributed. In summary, the proposed two-story structure would have 683sf on the first floor and 675sf on the second floor, excluding the 280sf single car garage.

3. Reduced parking requirements: from two spaces, with at least one within a garage, to providing one parking space within a garage. *SMC 17.34.040 Table 3-8 Parking Requirements by Land Use* has a specific parking requirement for single-family dwellings on narrow lots of less than 50 feet in width: two parking spaces, at least one within a garage. One parking space is proposed within the garage and the applicant is requesting a variance to the requirement so they do not have to provide an additional parking space on the limited site. There is potential to place an exterior parking space in the rear yard (SMC 17.30.100.D.2.a) accessed off the alley, which ends on parcel west of the subject property. However, the alley currently provides access to 20 parking spaces associated with four separate residential developments (three multifamily and one single family) and additional areas occupied by vehicles parking in unofficial "parking spaces." This option is not desirable due to the busy nature of the alley as well as leading to reduced privacy for the subject property, in opening up the rear to a busy area of light and noise to provide one exterior parking space that would also reduce the amount of open space in the rear yard. Although SMC 17.12.050 Table 2-3 Residential Zone Development Standards allows for up to 440sf of garage area to be excluded from FAR calculations, providing an exterior or additional interior space for another parking space could lead to noncompliance with site coverage, which is defined as the percentage of total site area occupied by structures, sidewalks, paved driveways, and other impervious surfaces. Also, to illustrate the impact of an additional interior space on a small lot, a two-car garage of 440sf would occupy 39% of the first floor area. As proposed, the 280sf single car garage occupies 29% of the first floor area. Again, the small lot area presents limitations to achieving compliance with the standard parking regulations, compromising the needed privacy of a single-family residence.

Additional discretionary permits (pending Variance approval):

The project is for a new 1,358sf, two story single-family residence on a 2,500sf lot. If the Variance is approved, the applicant will return for the consideration of a Use Permit for an exterior stairway leading to a rooftop deck and an Architectural Review application for the roof decks, architectural design, landscape design, and lighting.

FINDINGS

SMC section 17.62.080.F outlines the following findings that are necessary for approval by the review authority regarding the variance:

a. There are special circumstances applicable to the property, including size, shape, topography, location, or surroundings, so that the strict application of this Zoning Ordinance deprives the property of privileges enjoyed by other property in the vicinity and within the same zone.

Evidence: *The special circumstance that applies to the site is the lot size: 25'w x 100'd or 2,500sf. The subject property's area is 1,250sf smaller than the current minimum lot area requirement of 3,750sf and is 25' (or 50%) less in width of 50'.*

It's relevant to note the current requirements, as the minimum lot area of 3,750sf and 50' width would allow for up to a 40' wide structure (5' side setbacks) and a floor area ratio of 1,687sf.

Setback reduction: *Under the reduced lot width of the subject property, observance of the required side setbacks would greatly deprive the property of a livable structure, as it would only be 15' wide, from exterior wall to exterior wall. The requested variance to the side yard setbacks from 5' to 3' would allow for a structure width of just below 18'-7/8", which is nearly proportionally relative to the maximum structure width that would be permitted for a 50' wide lot under the current development standards, as illustrated here: a 50' wide lot observing the required setbacks would have a structure width of 40' and a 25' wide lot observing a reduced setback of 3' would have a structure with of 18'-7/8" (+/- 20').*

Architectural Projections: If the setback reduction is granted, then the strict application of SMC 17.30.100.E. Table 3-5 Allowed Architectural Projections would deprive the property of architectural design privileges of other properties in the vicinity. Table 3-5 limits architectural elements to projecting no closer than three feet to any side property line, typically under observance of the standard 5' side setback. If the variance is granted for the setback reduction, then architectural projections are not possible if the code is strictly applied. The requested 15" side yard eave projection is essential to the architectural design, as it creates a visual separation between the first and second stories and continues on all side of the building. Additionally, the proposed projection does not have any potential privacy concerns associated with it, as is the case with other projections allowed in the side setbacks, such as: bay windows, windows, greenhouses, and fireplaces.

Floor Area Ratio Increase: Under the reduced lot area of the subject property, observance of the required floor area ratio of 45% would only allow for a 1,125 square foot residence. The requested variance to the required floor area ratio allowance, from 45% (1,125 SF) to 54% (1,358 SF), is a relatively minimal increase of 233sf that allows for a reasonably sized two bedroom, two bath home. The proposed the first floor is 683sf and the second floor is 675sf, excluding the 280sf single car garage. The master bedroom is 210sf, the second bedroom is 173sf, the living room is 225sf, and the dining area is 190sf.

Parking Reduction: The narrow lot width and overall site area limits on-site amenities such as parking. The single-car garage space that is provided meets the intent of the code, in that it provides an off-street parking space that is not visible from the public right of way. Also, it would be possible to provide an exterior space in the rear yard, accessed from the alley, but that could create other issues with: site coverage compliance, further congestions in the alleyway, reduced open space, and reduced privacy and safety concerns in opening up the rear of the property to the alleyway.

b. The approval of the Variance includes conditions of approval as necessary to ensure that the adjustment granted does not constitute a granting of special privileges

inconsistent with the limitations upon other properties in the vicinity and within the same zone.

Evidence: Project conditions of approval are incorporated in the Resolution, but the findings and adherence to the project plans in the subsequent BAR and UP submittals would be the main tool to ensure that the variance adjustments do not constitute a granting of special privileges inconsistent with the limitations upon other properties in the vicinity. SMC 17.62.080.C.1-2 contains regulations for both Variance and Minor Variance applications. Minor Variances are considered by the Zoning Administrator and are capped at a 10% reduction to: Distance between structures, Parcel dimensions (not area), Setbacks, Structure height; and On-site parking, loading, and landscaping. Comparatively, the Variance regulations do not specify a limit to the degree of variance from development regulations. The Variance application is for four development regulations: setbacks and architectural projections, floor area ratio, and parking. All other aspects of the project comply with the development regulations of the zone. The Variance to the development standards does not constitute a granting of special privileges inconsistent with the limitations upon other properties in the vicinity and within the same zone when considering the proportional variance requests relative to the property area.

c. The Variance is consistent with the General Plan, and any applicable specific plan.

Evidence: *The General Plan designation for the property is Medium Density Residential (RM) and the proposed Variance is supported by a variety of General Plan goals and policies:*

Goal LU-1: Promote a mixture of land uses and a balance of jobs and housing to support a community in which people can live, work, shop, and play.

Policy LU-1.2: Encourage development that helps the City achieve a jobs/housing ratio of 1.5:1. Policy LU-1.4: Provide for a variety of housing that complements the employment opportunities in the community.

Goal LU-3: Revitalize existing residential areas.

Policy LU-3.2: Improve the physical appearance of residential neighborhoods.

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

The proposed Variance is consistent with the General Plan, as approval of the project and subsequent discretionary permits would result in a new single-family housing unit in the RM zoning district. The proposed 2 bed, 2 bath home would provide a housing type that is well-suited for the 2,500sf lot in an area of the city where there are a mix of single-family homes and multi-family developments, revitalizing a once vacant parcel and improving the appearance of the residential neighborhood. The Variance to the development standards does not constitute a granting of special privileges inconsistent with the limitations upon other properties in the vicinity and within the same zone nor does it deprive the subject property of privileges enjoyed by other property in the vicinity and within the same zone. Therefore, the new development would complement the existing land uses and would be an exemplary example of how to build on small lots in the city while respecting the existing neighborhood.

ATTACHMENTS

1. Attachment 1: Draft Resolution
 2. Exhibit A: Plans
 3. Attachment 2: SMC 17.66.040: Design Flexibility of Substandard Lots (Rescinded 2006)
 4. Attachment 3: Photos
 5. Attachment 4: Neighborhood Map - Density and Height
-

RESOLUTION NO. 20-XX

VAR-21-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE

APPROVING VARIANCE APPLICATION VAR-21-01 FOR REDUCED SIDE YARD SETBACKS, AN INCREASE IN THE ALLOWABLE FLOOR AREA RATIO, AND REDUCED PARKING REQUIREMENTS ASSOCIATED WITH A POTENTIAL 1,358SF TWO-STORY SINGLE-FAMILY RESIDENCE ON A 2,500SF LOT (25'W X 100'D) LOCATED ON THE 1000 BLOCK OF HAMILTON AVENUE (APN: 012-274-019), BETWEEN 1064 AND 1084 HAMILTON AVENUE, IN THE MEDIUM DENSITY RESIDENTIAL (RM) ZONING DISTRICT;

WHEREAS, Chad Brown, applicant, and Dmitry Kisselev, property owner, have applied for VAR-21-01 requesting:

1. Reduced side yard setbacks: from 5' to 3' (SMC 17.12.050, Table 2-3 Residential Zone Development Standards) and a 15" architectural projection (eave) into the requested reduced side setback (SMC 17.30.100.e Table 3-5 *Allowed Architectural Projections Into Setbacks*); and
2. Increased floor area ratio: from 45% (1,125sf) to 54% (1,358sf) (SMC 17.12.050, Table 2-3 *Residential Zone Development Standards*); and
3. Reduced parking requirements: from two spaces, with at least one within a garage, to providing one parking space within a garage (SMC 17.34.040 Table 3-8 *Parking Requirements by Land Use*).

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 Variance application at a duly noticed public hearing for a Special Meeting held on March 10, 2021, and

WHEREAS, the Variance application is categorically exempt from the California Environmental Quality Act Class 5, Section 15305.

Evidence: VAR-21-01 - *The Variance application is for development standards: setbacks, floor area ratio, and parking.* The granting of the Variance application would not resulting in the creation of any new parcel, and therefore, the project is exempt.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission adopts the following findings for Variance application No. VAR-21-01:

1. There are special circumstances applicable to the property, including size, shape, topography, location, or surroundings, so that the strict application of this Zoning Ordinance deprives the property of privileges enjoyed by other property in the vicinity and within the same zone.

Evidence: *The special circumstance that applies to the site is the lot size: 25'w x 100'd or 2,500sf. The subject property's area is 1,250sf smaller than the current minimum lot area requirement of 3,750sf and is 25' (or 50%) less in width of 50'. It's relevant to note the current requirements, as the minimum lot area of 3,750sf and 50' width would allow for up to a 40' wide structure (5' side setbacks) and a floor area ratio of 1,687sf.*

Setback reduction: *Under the reduced lot width of the subject property, observance of the required side setbacks would greatly deprive the property of a livable structure, as it would only be 15' wide, from exterior wall to exterior wall. The requested variance to the side yard setbacks from 5' to 3' would allow for a structure width of just below 18'-7/8", which is nearly proportionally relative to the maximum structure width that would be permitted for a 50' wide lot under the current development standards, as illustrated here: a 50' wide lot observing the required setbacks would have a structure width of 40' and a 25' wide lot observing a reduced setback of 3' would have a structure with of 18'-7/8" (+- 20').*

Architectural Projections: If the setback reduction is granted, then the strict application of SMC 17.30.100.E. Table 3-5 Allowed Architectural Projections would deprive the property of architectural design privileges of other properties in the vicinity. Table 3-5 limits architectural elements to projecting no closer than three feet to any side property line, typically under observance of the standard 5' side setback. If the Variance is granted for the setback reduction, then architectural projections are not possible if the code is strictly applied. The requested 15" side yard eave projection is essential to the architectural design, as it creates a visual separation between the first and second stories and continues on all side of the building. Additionally, the proposed projection does not have any potential privacy concerns associated with it, as is the case with other projections allowed in the side setbacks, such as: bay windows, windows, greenhouses, and fireplaces.

Floor Area Ratio Increase: Under the reduced lot area of the subject property, observance of the required floor area ratio of 45% would only allow for a 1,125 square foot residence. The requested Variance to the required floor area ratio allowance, from 45% (1,125 SF) to 54% (1,358 SF), is a relatively minimal increase of 233sf that allows for a reasonably sized two bedroom, two bath home. The proposed the first floor is 683sf and the second floor is 675sf, excluding the 280sf single car garage. The master bedroom is 210sf, the second bedroom is 173sf, the living room is 225sf, and the dining area is 190sf.

Parking Reduction: The narrow lot width and overall site area limits on-site amenities such as parking. The single-car garage space that is provided meets the intent of the

code, in that it provides an off-street parking space that is not visible from the public right of way. Also, it would be possible to provide an exterior space in the rear yard, accessed from the alley, but that could create other issues with: site coverage compliance, further congestions in the alleyway, reduced open space, and reduced privacy and safety concerns in opening up the rear of the property to the alleyway.

2. The approval of the Variance includes conditions of approval as necessary to ensure that the adjustment granted does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and within the same zone.

Evidence: *Project conditions of approval are incorporated in the Resolution, but the findings and adherence to the project plans in the subsequent BAR and UP submittals would be the main tool to ensure that the Variance adjustments do not constitute a granting of special privileges inconsistent with the limitations upon other properties in the vicinity. SMC 17.62.080.C.1-2 contains regulations for both Variance and Minor Variance applications. Minor Variances are considered by the Zoning Administrator and are capped at a 10% reduction to: Distance between structures, Parcel dimensions (not area), Setbacks, Structure height; and On-site parking, loading, and landscaping. Comparatively, the Variance regulations do not specify a limit to the degree of variance from development regulations. The Variance application is for four development regulations: setbacks and architectural projections, floor area ratio, and parking. All other aspects of the project comply with the development regulations of the zone. The Variance to the development standards does not constitute a granting of special privileges inconsistent with the limitations upon other properties in the vicinity and within the same zone when considering the proportional Variance requests relative to the property area.*

2. Reduced parking requirements: from two spaces, with at least one within a garage, to providing one parking space within a garage.

Evidence: *SMC 17.34.040 Table 3-8 Parking Requirements by Land Use has a specific parking requirement for single-family dwellings on narrow lots of less than 50 feet in width: two parking spaces, at least one within a garage. One parking space is proposed within the garage and the applicant is requesting a variance to the requirement so they do not have to provide an additional parking space on the limited site. There is potential to place an exterior parking space in the rear yard (SMC 17.30.100.D.2.a) accessed off the alley, which ends on parcel west of the subject property. However, the alley currently provides access to 20 parking spaces associated with four separate residential developments (three multifamily and one single family) and additional areas occupied by vehicles parking in unofficial "parking spaces." This option is not desirable due to the busy nature of the alley as well as leading to reduced privacy for the subject property, in opening up the rear to a busy area of light and noise to provide one exterior parking space that would also reduce the amount of open space in the rear yard. Although SMC 17.12.050 Table 2-3 Residential Zone Development Standards allows for up to 440sf of garage area to be*

excluded from FAR calculations, providing an exterior or additional interior space for another parking space could lead to noncompliance with site coverage, which is defined as the percentage of total site area occupied by structures, sidewalks, paved driveways, and other impervious surfaces. Also, to illustrate the impact of an additional interior space on a small lot, a two-car garage of 440sf would occupy 39% of the first floor area. As proposed, the 280sf single car garage occupies 29% of the first floor area. The size of the lot, again, presents limitations to meeting compliance with the standards regulations, including parking.

3. The Variance is consistent with the General Plan, and any applicable specific plan.

Evidence: *The General Plan designation for the property is Medium Density Residential (RM) and the proposed Variance is supported by a variety of General Plan goals and policies:*

Goal LU-1: Promote a mixture of land uses and a balance of jobs and housing to support a community in which people can live, work, shop, and play.

Policy LU-1.2: Encourage development that helps the City achieve a jobs/housing ratio of 1.5:1. Policy LU-1.4: Provide for a variety of housing that complements the employment opportunities in the community.

Goal LU-3: Revitalize existing residential areas.

Policy LU-3.2: Improve the physical appearance of residential neighborhoods.

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

The proposed Variance is consistent with the General Plan, as approval of the project and subsequent discretionary permits would result in a new single-family housing unit in the RM zoning district. The proposed 2 bed, 2 bath home would provide a housing type that is well-suited for the 2,500sf lot in an area of the city where there are a mix of single-family homes and multi-family developments, revitalizing a once vacant parcel and improving the appearance of the residential neighborhood. The Variance to the development standards does not constitute a granting of special privileges inconsistent with the limitations upon other properties in the vicinity and within the same zone nor does it deprive the subject property of privileges enjoyed by other property in the vicinity and within the same zone. Therefore, the new development would complement the existing land uses and would be an exemplary example of how to build on small lots in the city while respecting the existing neighborhood.

BE IT FURTHER RESOLVED, that the Planning Commission approves Variance Application VAR-21-01 subject to the following conditions:

Project Specific

Planning:

1. The Applicant shall submit an application for a Use Permit for an exterior stairway leading to a rooftop deck and an Architectural Review application for the proposed new single-family home, which will include review of roof decks, the architectural design, the landscape design, and the exterior/site lighting. The plans submitted for the Use Permit and Architectural Review shall substantially conform to the plans reviewed/approved under this Variance application, dated 12.11.20 and labeled "Dmitry Kisselev," included as Exhibit A.

Building Department:

1. The project shall adhere to and be constructed in accordance with the current California Building Code

Fire Department:

1. The project shall adhere to and be constructed in accordance with the current California Fire Code.

Standard

1. 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.
2. The approval of a planning permit (i.e., Use Permit, Minor Use Permit, Variance, Minor Variance, or Planned Development Permit) shall become effective on the seventh day after the date of approval by the review authority; provided, that no appeal has been filed in compliance with Chapter [17.76](#) (Appeals), (SMC 17.64.020.A).
3. Within 15 days of the date of planning permit approval, the applicant shall sign their agreement with all applicable conditions of approval or the permit shall become void (SMC 17.64.020.B).
4. If a project is to be developed in approved phases, each subsequent phase shall be exercised within 12 months from the date that the previous phase was exercised, unless

otherwise specified in the permit, or the permit shall expire and become void, except where an extension of time is approved (SMC 17.64.080.A.4).

- 5 An appeal in compliance with SMC 17.76 be filed by any aggrieved person; except that in the case of a decision on a Use Permit, Minor Use Permit, Variance, Minor Variance, or Planned Development Permit which followed a public hearing, an appeal may only be filed by a person who, in person or through a representative, appeared at the public hearing in connection with the decision being appealed, or who otherwise informed the City in writing of the nature of their concerns before the hearing (SMC 17.76.030.A.1).

PASSED AND ADOPTED at the Special Meeting of the Planning Commission of the City of Seaside, State of California, on the 10th day of March 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

John Owens, Chairperson

ATTEST:

Planning Commission Secretary

RESOLUTION No. 20-XX
VARIANCE APPLICATION NO. VAR-21-01

These permits are hereby accepted upon the express terms and conditions hereof, and shall have no force or effect unless and until agreed to, in writing, by the applicant and property owner(s).

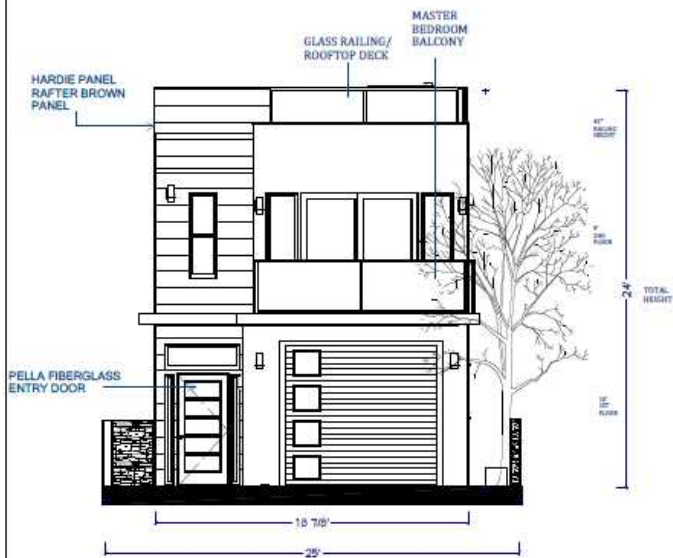
The undersigned hereby acknowledge the approved terms and conditions and agree to fully conform to, and comply with, said terms and conditions within the time frames approved by the City of Seaside Planning Commission.

Applicant's Signature

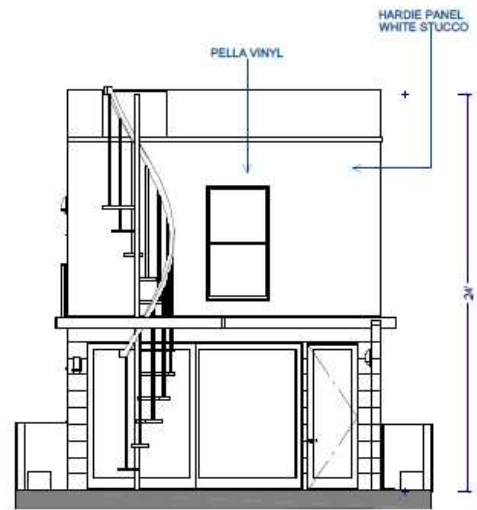
Date

Property Owner's Signature *(if different from above)*

Date

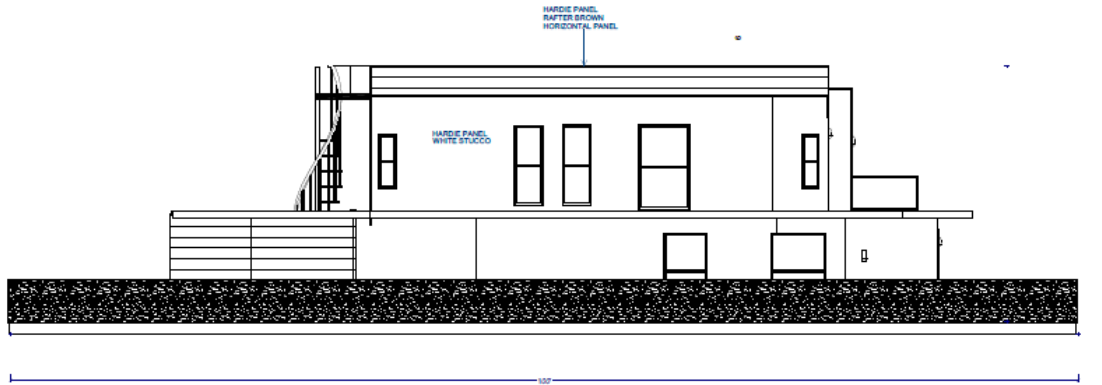


ELEVATION NORTH
1/4"-1' SCALE

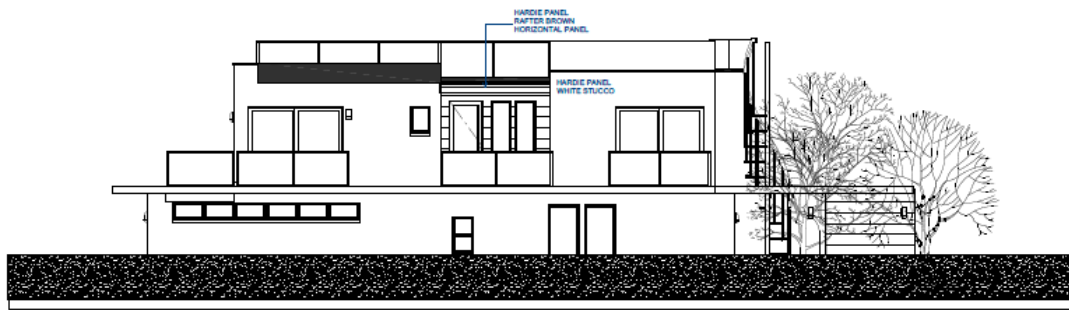


ELEVATION SOUTH
1/4"-1' SCALE

DMITRY KISSELEV
APN: 012-274-019-000
HAMILTON AVE , SEASIDE



ELEVATION EAST
1/4"=1' SCALE



ELEVATION WEST
1/4"=1' SCALE

D. Unenclosed ground level decks may extend or project not closer than three feet from a side yard or rear yard property line, and not more than six feet into the required front yard.

E. Unenclosed ground level decks may extend to the front property line if:

1. A drainage plan is approved by the public works department;

2. The design of the deck is approved by the board of architectural review;

3. The area beneath the deck is screened to the satisfaction of the board of architectural review.

F. Aboveground decks within the street side setbacks of a corner lot must be reviewed by the planning commission to determine whether traffic or safety hazards are created.

G. Railings up to three feet high may be allowed around decks for safety upon approval of the board of architectural review. Railings on decks within the street side setbacks of a corner lot must receive approval of both the board of architectural review and the traffic advisory committee.

H. Decks may not be used to meet off-street parking requirements. (Ord. 781 §1(part), 1990; Ord. 780 §1(part), 1990; Ord. 769 §1(part), 1990; Ord. 615 §1(A), 1982; Ord. 591 §25.03, 1981).

17.66.040 Design flexibility of substandard lots. A.

Purpose Statement. Relief from established zoning requirements for new single-family residential structures on substandard lots less than forty feet wide is intended to allow for variations and depth to the building face and to maximize use of the remaining open space on the property. Any resulting increase in building area should be considered as a secondary benefit to this process; the primary purpose for relief of zoning requirements is to facilitate and achieve quality design. Design flexibility shall be granted solely for the entire property and the entire structure, and no waivers shall be granted for design amenities proposed for only a portion of the property or structure.

B. Design Standards. In order to qualify for a zoning waiver, the following standards shall be included in the overall design:

1. A full roof, either gabled, hipped or flat;
2. No nondescript or boxy design without recognizable characteristics or distinctive style or theme;
3. Architectural consistency between all building elevations including consistent use of colors, materials and detailing. Avoidance of "false" or "decorative" facade treatments. Avoidance of unrelated material placed upon the building. Continuity of overall architectural design;
4. Consideration of light and air required by adjacent developments and properties;
5. Variation of building design within the residential block;

6. Incorporation of entire site whereby the internal and external building design maximizes use of the property and provides immediate access to the remaining open space;

7. Compliance with maximum lot coverage and open space requirements;

8. Preservation of sufficient area in front yard to provide visibility for vehicular access and/or egress;

9. Integration of landscaping as a part and function to the building design;

10. Use of texture, trim, low walls, shadows, etc. to project an attractive living environment;

11. With two-story buildings, it is preferable to incorporate the garage into the building design by placing living space above the garage.

C. Design Amenities. The following design amenities qualify for consideration of waivers of zoning requirements:

1. A protected entryway, either with a wall recess, roof or other similar feature;

2. Wall insets and/or window projections;

3. Sizable balconies and/or decks;

4. Generous roof overhangs;

5. Provision of a garage as opposed to a carport;

6. Creative use of property and design excellence as determined by the zoning administrator.

D. Waivers of Zoning Requirements. Waivers to the zoning requirements shall be based upon the amenities provided in relation to the overall design of the project which includes the way in which the building ties in with the neighboring structures, the topography and site layout, and the view shed of all properties involved. The zoning administrator may grant the following zoning waivers in exchange for design amenities, with each amenity being counted only one time.

1. For each building face where at least one design amenity is provided, the following setback waivers may be granted:

a. Sixty-five percent of the front building face may project up to five feet into the required setback.

b. Seventy-five percent of the side building face may project into the required setback, but in no instance may the building face be closer than three feet from the side property line.

c. One hundred percent of the rear building face may project up to ten feet into the required setback.

2. On lots less than forty feet in width where at least two design amenities are provided, only one covered parking space shall be required. However, this covered parking space shall be enclosed as a garage with minimum internal dimensions of twelve feet by twenty feet. In addition, a paved area to accommodate two uncovered off-street parking spaces with a minimum dimensions of eighteen feet by twenty feet shall be provided.

3. Where at least three design amenities are provided, developments with zero lot lines may be permitted where common-wall development is coordinated with the adjacent property on the common zero lot line side in design and construction. A minimum side yard of five feet or twenty percent of the lot width, whichever is greater, shall be retained as open space within the remaining side yard. (Ord. 781 §1(part), 1990; Ord. 757 §1(Exh. A(31)), 1989; Ord. 648 §1(Exh. A), 1983; Ord. 591 §25.04, 1981).

17.66.050 Public utility lots. The planning commission may authorize, through the conditional use permit process, the creation of a lot for a public utility of less area than required for the minimum lot size for the district wherein the public utility is to be located, and, without frontage on a public right-of-way, subject to the following findings:

A. The lot is adequate in size to completely contain the public utility.

B. There are no unresolved safety issues related to the neighborhood and the public in general.

C. Access to the lot is adequate for the nature of the public utility involved.

D. Adequate screening from neighboring properties is possible for the public utility's facilities. (Ord. 780 §1(part), 1990).

Chapter 17.68

INTERPRETATIONS, CONDITIONAL USES, VARIATIONS AND AMENDMENTS

Sections:

- 17.68.010 Purpose.
- 17.68.020 Amendments.
- 17.68.030 Appeals.
- 17.68.040 Conditional use permits.
- 17.68.050 Variances.
- 17.68.060 Interpretations.
- 17.68.070 Reapplication.

17.68.010 Purpose. The purpose of this chapter is to identify those procedures necessary to make or grant amendments, appeals, conditional use permits, variances and interpretations. (Ord. 781 §1(part), 1990; Ord. 591 §23.01, 1981).

17.68.020 Amendments. A. This title may be amended by changing the boundaries of any zone, or by changing, amending or supplementing the regulations or any other provisions thereof whenever the public necessity and convenience and general welfare require such amendment.



Area between subject site (vacant lot) and home to the right is approximately 29' wide.



Area between subject site and home to the left is approximately 12' wide.
Three story multifamily structure to the rear with 5 alley-accessed parking spaces.



Surrounding multi-story, multifamily housing.



Photo illustrating slight grade change.

