



A G E N D A

CITY OF SEASIDE
ZONING
ADMINISTRATION

SPECIAL MEETING
Council Chamber
440 Harcourt Avenue
Monday, August 21, 2017
5:00 PM

PLEASE TURN OFF YOUR CELL PHONES UPON ENTERING THE MEETING

1. **CALL TO ORDER**

2. **PUBLIC COMMENT**

3. **APPROVAL OF MINUTES**

4. **BUSINESS ITEMS**

- A. **MINOR USE PERMIT APPLICATION No. MUP-17-07 Katherine Corona Trust, Property Owner, and the City of Seaside, applicant, are requesting the approval of a minor use permit application to permit on an interim basis a governmental information center within a 3,900 square foot commercial tenant space located at 656 Broadway Ave (APN #011-291-020) in the West Broadway Specific Plan Mixed Use (MX) Zoning District. The project is Categorically Exempt Class 1, Section 15301(a), from the California Environmental Quality Act.**

PURPOSE: In accordance with Section B.1.2 of the West Broadway Urban Village Specific Plan, the City of Seaside is requesting a Minor Use Permit for use of a 3,900 square-foot retail space as an interim governmental information center. The project site is located at 656 Broadway Avenue.

RECOMMENDATION: City staff is recommending that the Zoning Administrator grant the Minor Use Permit in accordance with the Resolution provided as Attachment to the Staff Report.

5. **ADJOURNMENT**

Next Regularly Scheduled Meeting:
SPECIAL

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, they are asked to contact the City Clerk at 899-6707 no fewer than two business days prior to the meeting to allow reasonable arrangements. The City Council chamber is equipped with a portable microphone and assisted listening devices are available at all meetings.

City Council Meetings that are held in the City Council Chambers are broadcast live to all Seaside residents on Comcast Channel 25 and U-verse Channel 99. Meetings are also available through live streaming at:

<http://cyp.telvue.com/player?id=T01629&video=52314&noplaylistskin=1&width=400&height=300>

Videos of past meetings are available on demand through the City's website: <http://www.ci.seaside.ca.us>

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.: 4.A.

TO: Zoning Administration

BY:

DATE: August 21, 2017

SUBJECT: **MINOR USE PERMIT APPLICATION No. MUP-17-07 Katherine Corona Trust, Property Owner, and the City of Seaside, applicant, are requesting the approval of a minor use permit application to permit on an interim basis a governmental information center within a 3,900 square foot commercial tenant space located at 656 Broadway Ave (APN #011-291-020) in the West Broadway Specific Plan Mixed Use (MX) Zoning District. The project is Categorically Exempt Class 1, Section 15301(a), from the California Environmental Quality Act.**

PURPOSE

In accordance with Section B.1.2 of the West Broadway Urban Village Specific Plan, the City of Seaside is requesting a Minor Use Permit for use of a 3,900 square-foot retail space as an interim governmental information center. The project site is located at 656 Broadway Avenue.

RECOMMENDATION

City staff is recommending that the Zoning Administrator grant the Minor Use Permit in accordance with the Resolution provided as Attachment to the Staff Report.

BACKGROUND

The project site consists of a 3,900 square foot building located on the south side of Broadway Avenue. The floor area of the space will be used by the City of Seaside as an interim governmental office for approximately 24-months. The general hours of the governmental center would be from 8 AM to 5 PM, Monday thru Friday. The office may be open on Saturday and Sunday for limited periods of time as business demands it. The City expects to have two to three employees at most times. Location Map is provided as Attachment 2. Site Photograph is provided as Attachment 3.

The floor plan consists of an open reception area which would contain desks and a counter to

receive customers and provide work space for business owners, real estate developers and the public. No changes will be to the exterior façade.

ENVIRONMENTAL REVIEW

In accordance with Section 15301(a) (Existing Facilities) of the California Environmental Quality Act (CEQA), interior or exterior alterations to existing structures are categorically exempt from CEQA review provided that the project involves negligible or no expansion of the existing use and the area in which the project is located is not environmentally sensitive.

Evidence: The proposed project involves issuing a Certificate of Occupancy to accommodate a professional office within an existing 3,900 square-foot commercial tenant space. Proposed improvements will consist of modifying the interior of the building to accommodate a conference room and office space. The project site is located within a heavily urbanized commercial area of the community where all public services and facilities are available and is located on an existing developed property that is not environmentally sensitive. The proposed project would be exempt from the CEQA Guidelines per Class 1, Section 15301(a).

STAFF ANALYSIS

In accordance with Section B.1.3 of the West Broadway Urban Village Specific Plan Mixed Use Zoning District, the establishment of a business/professional office on a ground floor would be allowed with Minor Use Permit approval. In accordance with Section 17.52.070.F of the Seaside Municipal Code, all of the following findings must be made in order to approve the subject Minor Use Permit.

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

Evidence: In accordance with Section B.1.2 of the WBUVSP, Minor Use Permits on primary streets must cite the potential for the use to contribute to pedestrian activity and to provide visual access for pedestrians into the ground floor use. The proposed project will serve to occupy a vacant, underutilized commercial building with a business that would enhance pedestrian activity and refurbish the storefront to enhance the overall appearance of the mixed use building and improve the economic viability of the WBUVSP area. The storefront windows would remain open to public view from the street right-of-way and sidewalk.

2. The proposed use is consistent with the General Plan and any applicable specific plan;

The project site is designated as the WBUVSP area in the General Plan Land Use Element. The project would be consistent with the following General Plan and WBUV Goals and Policies:

General Plan

- Goal LU-2 – Revitalize existing commercial areas.

- Policy LU-2.1 – Encourage consolidation of under-performing and under-utilized commercial properties.

Evidence: The project would occupy an existing vacant commercial lease area on a primary street.

- Goal ED-5 – Attract new regional and visitor serving businesses

- Policy ED-5.1 – Attract and support commercial and employment generating development that is consistent with the General Plan and City Ordinances.

Evidence: The proposed governmental office will serve to attract both local residents and regional visitors to a location that fronts on a primary street within the urban core of the City. The proposed project has the potential to create opportunities for the adjacent commercial properties by capitalizing on the introduction of local residents and visitors frequenting the WBUVSP area.

West Broadway Urban Village

- Goal: Create a balance of community and visitor serving mix of uses in the West Broadway Urban Village

Evidence: The office will be compatible with the surrounding commercial land uses, will not detract from the character of mix of land uses envisioned for the WBUVSP, and would encourage a pedestrian oriented atmosphere by occupying a storefront building on a primary street.

- Support and encourage the development of vacant and underutilized lots with uses that are efficient and compatible with the character of the West Broadway Urban Village.

Evidence: The project would occupy an existing vacant commercial lease area on a primary street.

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 project proposed is consistent with location, size and use of the existing and planned future uses of the mixed use commercial area.

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; and

Evidence: The project site is developed with a commercial building containing adequate on-street parking for the use of the commercial lease area.

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 City of Seaside's Fire Department, Building Department and Public Works Department have reviewed the conceptual project proposal and have no comments or concerns relating to any impacts that would be detrimental to the public health and safety.

FISCAL IMPACT

ATTACHMENTS

- 1.
 1. Attachment 1 - Draft Resolution
 2. Attachment 2 - Location Map
 3. Attachment 3 - Site Photographs
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**ZONING ADMINISTRATOR
RESOLUTION No. ZA-17-XX**

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SEASIDE, STATE OF CALIFORNIA, APPROVING MINOR USE PERMIT APPLICATION NO. MUP-17-07 TO ALLOW THE ESTABLISHMENT OF A GOVERNMENTAL OFFICE ON AN INTERIM BASIS LOCATED AT 656 BROADWAY AVENUE (APN 011-).

WHEREAS, Katherine Corona, Property Owner, and City of Seaside, applicant, have applied for a Minor Use Permit to establish a governmental office located at 656 Broadway Avenue; and

WHEREAS, the Minor Use Permit has been reviewed by the Zoning Administrator in accordance with Section 17.50.050 and 17.52.070.F of the Seaside Zoning Code; and

WHEREAS, the proposed project requires discretionary approval, and it is the responsibility of the Zoning Administrator 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 Zoning Administrator considered oral comments and written information concerning the proposed amendment at a duly noticed public hearing at public meeting held on January 27, 2014; and

WHEREAS, this project qualifies as a Class 1 Categorical Exemption under Section 15301(a) under the California Environmental Quality Act; and.

NOW, THEREFORE, BE IT RESOLVED, that the Zoning Administrator adopts the following findings approving Minor Use Permit Application No. MUP-17-07:

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

Evidence: In accordance with Section B.1.2 of the WBUVSP, Minor Use Permits on primary streets must cite the potential for the use to contribute to pedestrian activity and to provide visual access for pedestrians into the ground floor use. The proposed project will serve to occupy a vacant, underutilized commercial building with a business that would enhance pedestrian activity and refurbish the storefront to enhance the overall appearance of the mixed use building and improve the economic viability of the WBUVSP area.

2. The proposed use is consistent with the General Plan and any applicable specific plan;

The project site is designated as the WBUVSP area in the General Plan Land Use Element. The project would be consistent with the following General Plan and WBUV Goals and Policies:

General Plan

- Goal LU-2 – Revitalize existing commercial areas.

Attachment 1

- Policy LU-2.1 – Encourage consolidation of under-performing and under-utilized commercial properties.

Evidence: The project would occupy an existing vacant commercial lease area on a primary street.

- Goal ED-5 – Attract new regional and visitor serving businesses
- Policy ED-5.1 – Attract and support commercial and employment generating development that is consistent with the General Plan and City Ordinances.

Evidence: The proposed governmental office will serve to attract both local residents and regional visitors to a location that fronts on a primary street within the urban core of the City. The proposed project has the potential to capitalize on the introduction of local residents and visitors frequenting the WBUVSP area.

West Broadway Urban Village

- Goal: Create a balance of community and visitor serving mix of uses in the West Broadway Urban Village

Evidence: The governmental office will be compatible with the surrounding commercial land uses, will not detract from the character of mix of land uses envisioned for the WBUVSP, and would encourage a pedestrian oriented atmosphere by occupying a storefront building on a primary street.

- Support and encourage the development of vacant and underutilized lots with uses that are efficient and compatible with the character of the West Broadway Urban Village.

Evidence: The project would occupy an existing vacant commercial lease area on a primary street.

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 project proposed is consistent with location, size and use of the existing and planned future uses of the mixed use commercial area.

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; and

Evidence: The project site is developed with a commercial building containing adequate on-street parking for the project lease area.

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.

Attachment 1

Evidence: The City of Seaside's Fire Department, Building Department and Public Works Department have reviewed the conceptual project proposal.

BE IT FURTHER RESOLVED, the Zoning Administrator hereby grants Minor Use Permit Application No. MUP-17-07 subject to the following terms and agreements:

Project Specific

Planning:

1. Except as modified by required conditions of approval, the use of the interior floor area will be used for the purpose of an interim governmental office for 24-months. The Minor Use Permit can be renewed for an additional 24-months.

Building:

- 1, All proposed improvements within the interior of the building shall comply with the 2016 California Building Code for the issuance of a Certificate of Occupancy.

Fire Department:

1. All proposed improvements within the interior of the building shall comply with the 2016 California Fire Code for the issuance of a Certificate of Occupancy.

Standard:

1. The Minor Use Permit approval is subject to revocation procedures contained in S.M.C. Section 17.69.060 in the event any of the terms of this approval are violated or if the uses are conducted or carried out in a manner so as to adversely affect the health, welfare or safety of persons residing or working in the neighborhood.
2. 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.
3. The project shall comply with the requirements and the applicable ordinances of the Monterey Peninsula Water Management District (MPWMD).
4. 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 15 days from the date of its approval.
5. Project approval will become null and void if a building permit is not obtained within one (1) year from the date of approval to begin construction on the project.

Attachment 1

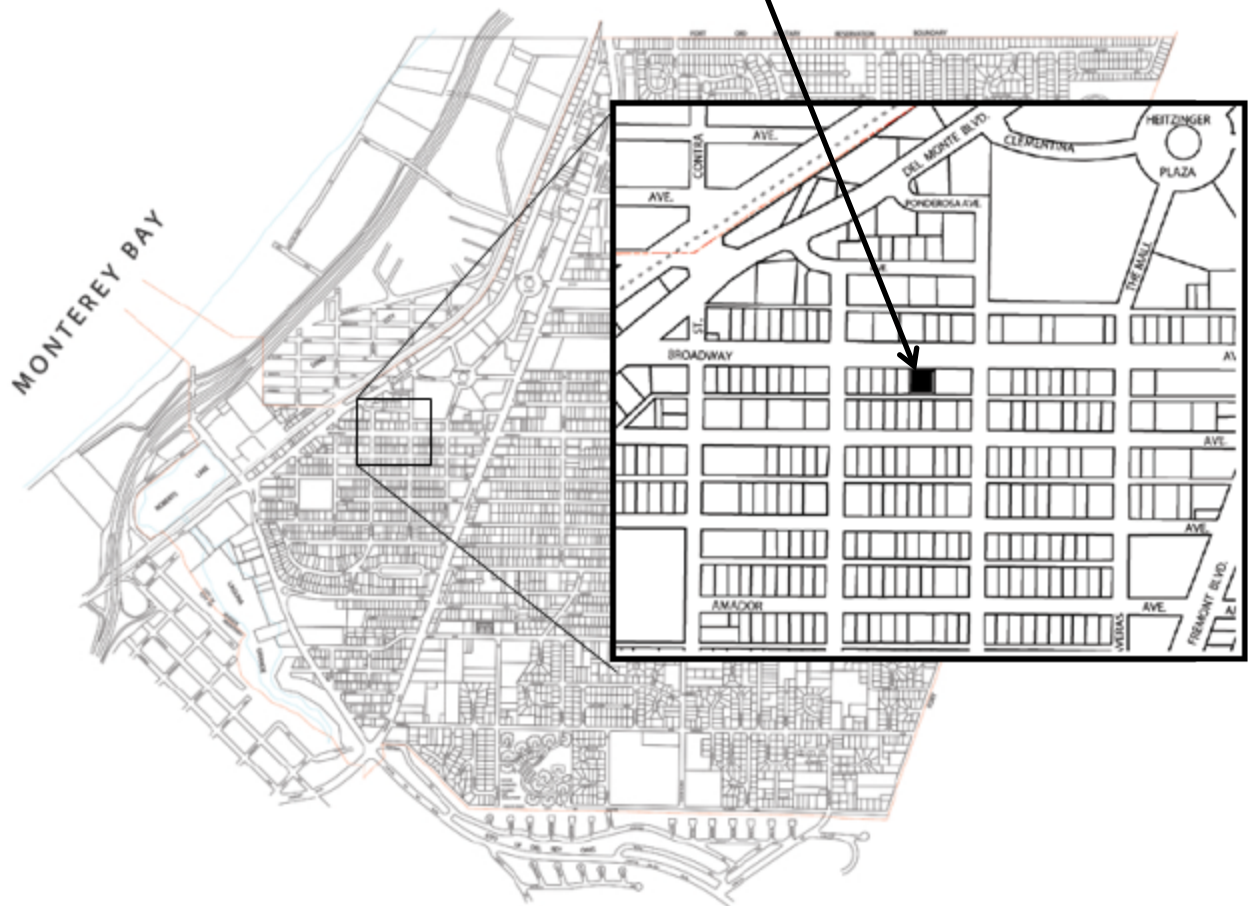
6. For purposes of assuring compliance, the applicant, agents, representatives or their assignees agree not to deny or impede access to the subject property by City employees in the performance of their duties.

PASSED AND ADOPTED by the Zoning Administrator of the City of Seaside, State of California, on the 21st day of August, 2017.

Rick Medina
Zoning Administrator

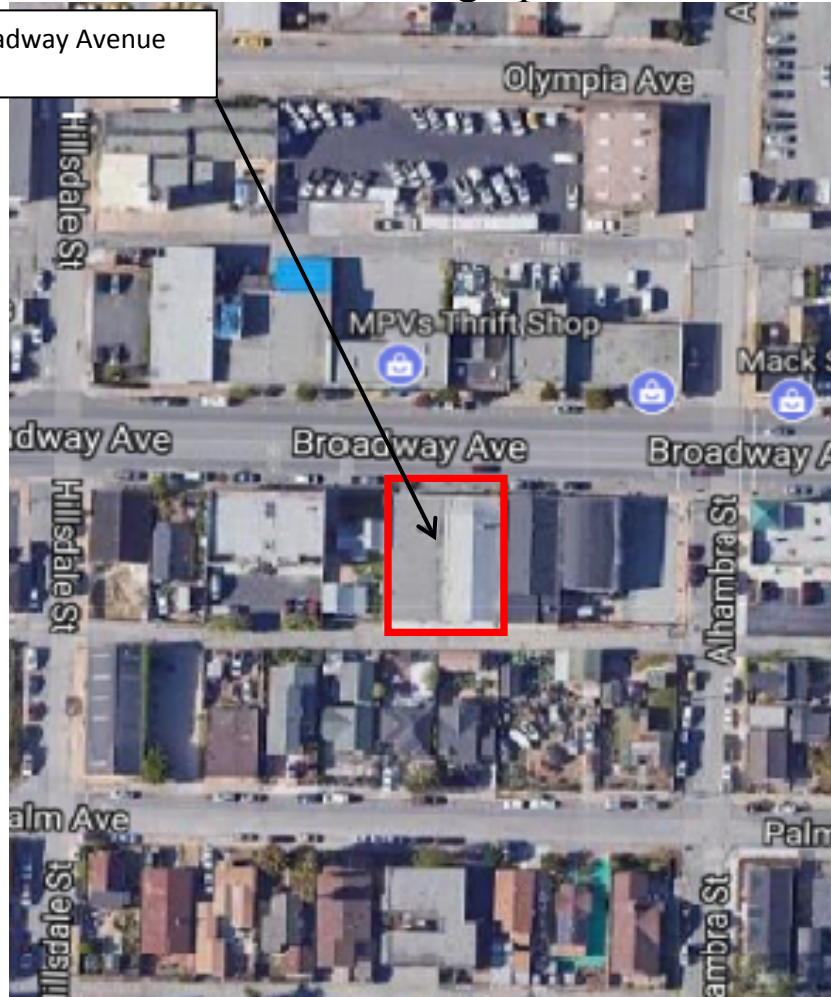
Location Map

656 Broadway Avenue



Attachment 3 Site Photographs

Project Site: 656 Broadway Avenue



View of storefront from Broadway Avenue