



CITY OF SEASIDE  
PLANNING COMMISSION

## AGENDA

REGULAR MEETING  
COUNCIL CHAMBER  
440 Harcourt Avenue  
Wednesday, May 9, 2018  
7:00 PM

---

*PLEASE TURN OFF YOUR CELL PHONES UPON ENTERING THE MEETING*

1. **FIELD TRIP - 6:00 PM**

*The Planning Commission will conduct a field trip to 1739 Yosemite Street, Seaside to review Agenda Item 7C from the 7:00 Agenda. The Planning Commission will depart from the parking lot in front of City Hall at 6:00 PM. For information call (831) 899-6707. The Regular Meeting will convene at 7:00 PM.*

2. **CALL TO ORDER - 7:00 PM**

*The Regular Meeting will be called to order at 7:00 PM in the City Council Chamber.*

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

|                   |              |
|-------------------|--------------|
| John Owens        | Chair        |
| Michael Spalletta | Vice Chair   |
| Keith Dodson      | Commissioner |
| Denise Ross       | Commissioner |
| Arlington La Mica | Commissioner |
| Ian Oglesby       | Commissioner |
| Alissa Kispersky  | Commissioner |

4. **REVIEW OF AGENDA**

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

5. **PUBLIC COMMENT**

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

6. **APPROVAL OF MINUTES**

A. **APPROVE THE MINUTES FROM APRIL 25, 2018 REGULAR MEETING**

7. **BUSINESS ITEMS**

- A. **FENCE EXCEPTION APPLICATION FE-18-01: NATALIE GIBSON, PROPERTY OWNER AND APPLICANT, IS REQUESTING THE APPROVAL OF A FENCE EXCEPTION TO ALLOW FOR A 5.5 FOOT HIGH FENCE WITHIN THE REQUIRED 15-FOOT FRONT YARD OF A RESIDENTIAL PARCEL LOCATED AT 1662 LUZERN STREET IN THE RS-12 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT (APN#012-723-016). THE PROJECT IS CATEGORICALLY EXEMPT CLASS 1, SECTION 15301 FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

**PURPOSE & RECOMMENDATION:**

In accordance with Section 17.30.020.F of the Seaside Municipal Code (SMC) the applicant is requesting approval of a fence exception for an as-built five-foot five-inch high masonry fence located within the 15-foot front yard setback of an interior lot located at 1662 Luzern Street in the Single Family Residential (RS-12) Zoning District.

- B. **USE PERMIT APPLICATION NO. UP-18-02. UNIVERSITY PLAZA (PROPERTY OWNER) AND FRANK PACHECO, (APPLICANT), ARE REQUESTING APPROVAL OF AN INDOOR COMMERCIAL BUSINESS (DBA JUMPIN-AROUND) LOCATED AT 1760 FREMONT BOULEVARD, STE: D-1 IN THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT.**

**PURPOSE & RECOMMENDATION:**

In accordance with Section 17.14.030.B – Table 2-4 (Allowed Land Uses and Permit Requirements for Commercial Zones), an indoor commercial business consisting primarily of a jungle gym structure and bounce house structures and party rooms is permitted with the issuance of a Use Permit.

- C. **CONSIDER AN APPEAL REQUESTING TO OVERTURN THE BOARD OF ARCHITECTURAL REVIEW DECISION FOR A SECOND STORY ADDITION TO AN EXISTING ONE-STORY SINGLE FAMILY DWELLING LOCATED AT 1739 YOSEMITE STREET IN THE RS-12 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT (APN 012-101-065). THIS PROJECT IS CATEGORICALLY EXEMPT CLASS 1, SECTION 15301.E.2.A, EXISTING FACILITIES, FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

**PURPOSE & RECOMMENDATION:** The purpose of this item is to consider an appeal submitted by Susan Hawthorne and Felix Bachofner, seeking to overturn the approval made by the Board of Architectural Review for a second story addition to an existing one-story single family residence located at 1739 Yosemite Street.

8. **REPORTS FROM COMMISSIONERS**

9. **REPORTS FROM STAFF**

10. **ADJOURNMENT**

Next Regularly Scheduled Meeting:  
May 23, 2018  
Seaside City Hall  
6:00 PM

---

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.



## DRAFT MINUTES

CITY OF SEASIDE  
PLANNING COMMISSION

REGULAR MEETING  
COUNCIL CHAMBER  
Wednesday, April 25, 2018  
7:00 PM

1. **CALL TO ORDER**

Vice Chair Spalletta called the meeting to order at 7:00 PM.

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

**PLANNING COMMISSION**

PRESENT: La Mica, Spalletta, Ross, Oglesby

ABSENT: Owens, Dodson

3. **REVIEW OF AGENDA**

No changes were requested.

4. **PUBLIC COMMENT**

Vice Chair Spalletta invited comments and there were no requests to speak.

5. **APPROVAL OF MINUTES**

*On motion by Commissioner Ian Oglesby and seconded by Commissioner Arlington La Mica and passed by the following vote the Planning Commission approved the minutes unanimously.*

RESULT: **Approved**

AYES: Denise Ross, Arlington La Mica, Michael Spalletta, Ian Oglesby

NOES: None

ABSENT: John Owens, Keith Dodson

A. **APPROVE THE MINUTES FROM APRIL 11, 2018**

*Action: Approved*

6. **STUDY SESSION**

A. **STUDY SESSION ON ACCESSORY DWELLING UNITS**

Senior Planner Medina spoke to newly passed SB 1069 and subsequent bill in January 2018 regarding Accessory Dwelling Units which the state has qualified as innovative, affordable and effective option for adding much needed housing in California communities. He discussed key issues of how it applies to the City of Seaside. He explained the definition of an ADU and further stated that due to the housing crisis through the state, there were 17 bills passed regarding housing. All bills were referenced in materials provided to the Commission. He outlined the summary of changes to the laws and the general requirements to have an ADU in Seaside. Mr. Medina noted that the General Plan update will contain language that is consistent with the new state ADU requirements. Mr. Medina answered questions from the Commission.

Commissioner Ross questioned the water requirements to which Mr. Medina indicated that the City

has no additional water allocations available for residential uses and there is a waiting list for new construction. The priority that has been established is for institutional uses only. However retrofits from existing water usage on site does qualify. You are allowed by right to add a second bathroom but cannot be used for an additional ADU unit, per district rules, unless you have a house with 2.5 bathrooms prior to 1991, that was when current water use regulations came in to play. Commissioner Oglesby requested that regulations or a system be drafted for size and architectural style to streamline the approval process so that each unit does not have to come before an advisory body for individual approval.

**7. REPORTS FROM COMMISSIONERS**

Commissioner La Mica indicated he would not be present for the May 9th meeting and Commissioner Ross will not be at the May 23rd meeting.

**8. REPORTS FROM STAFF**

Senior Planner Medina informed the Commission that there were two appeals filed from the Board of Architectural Review decision that will be coming before the Commission. Tours of inspection would be conducted for each item, starting at 6:00 PM. There will be a van available for Commissioners for transferring to the site. He also informed the Commission of the Seaside Creates Economic Development and Planning Department Open house on May 1st at 656 Broadway.

**9. ADJOURNMENT**

Having no further business, the meeting was adjourned at 7:45 PM.

**Respectfully submitted,**

---

**Lesley Milton-Rerig, City Clerk**

---

**John Owens, Chair**



**CITY OF SEASIDE  
STAFF REPORT**

Item No.: 7.A.

**TO:** Planning Commission

**BY:** Bob Larsen, Associate Planner

**DATE:** May 9, 2018

**SUBJECT: FENCE EXCEPTION APPLICATION FE-18-01: NATALIE GIBSON, PROPERTY OWNER AND APPLICANT, IS REQUESTING THE APPROVAL OF A FENCE EXCEPTION TO ALLOW FOR A 5.5 FOOT HIGH FENCE WITHIN THE REQUIRED 15-FOOT FRONT YARD OF A RESIDENTIAL PARCEL LOCATED AT 1662 LUZERN STREET IN THE RS-12 (SINGLE FAMILY RESIDENTIAL ZONING DISTRICT (APN#012-723-016). THE PROJECT IS CATEGORICALLY EXEMPT CLASS 1, SECTION 15301 FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

---

**PURPOSE & RECOMMENDATION**

In accordance with Section 17.30.020.F of the Seaside Municipal Code (SMC) the applicant is requesting approval of a fence exception for an as-built five-foot five-inch high masonry fence located within the 15-foot front yard setback of an interior lot located at 1662 Luzern Street in the Single Family Residential (RS-12) Zoning District.

**BACKGROUND**

This property was recently listed for sale. During a City of Seaside Real Property inspection, it was noted that a masonry fence had been constructed along the front property line and returns towards the house along the north side of the driveway. This as-built fence exceeds the maximum height of four feet within the front setback. The applicant has applied for a fence exception for the as-built fence.

**SITE LOCATION AND DESCRIPTION**

The project site is located on the east side of Luzern Street between Broadway Avenue to the south and Mingo Avenue to the north. The site is approximately 3,485 square feet in area and is developed with a 1,030 square foot three bedroom, one bath house with an attached one-car garage. Adjacent land uses consist of single-family residential dwelling units. A Location Map is provided as Attachment 2. An Aerial Photo is provided as Attachment 3. Site Photographs

are provided as Attachment 4. The Applicant's Statement is provided as Attachment 5. Photographs of the fence are provided as Attachment 6.

#### **PROJECT DESCRIPTION**

The front yard of the subject property has been enclosed with a masonry fence. The fence has been constructed along the front property line and returns towards the house along the north side of the driveway. The fence has a decorative scallop shape along the top of the fence. The fence has been finished in stucco and painted to match the house. The entire masonry fence has a brick cap. The highest point of the fence is located at its south west corner where the driveway meets the sidewalk. At this point the fence measures 5 feet 5 inches in height from the sidewalk grade. The low point of the scallop design measures 5 feet 1 inch from the sidewalk. These measurements exceed the maximum four-foot height limit as measured from the lowest grade (sidewalk). The driveway slopes uphill slightly towards the front of the house. The dirt level of the front yard front yard on the interior side of the wall is approximately 2 feet higher than the sidewalk elevation. The owner has indicated that the fence was in place when she bought the property 10 year ago. No permit is on file for the construction of the fence.

-

#### **ENVIRONMENTAL REVIEW**

-

This project is Categorically Exempt from the California Environmental Quality Act pursuant to Section 15303(e): New Construction of Small Structures. Class 3 categorical exemptions consist of the construction of small structures including fences.

*Evidence: Approval of the proposed fence exception would acknowledge the construction of a five-foot five-inch high masonry fence on Luzern Street. A fence consists of a minor improvement that is categorically exempt from CEQA.*

-

#### **STAFF ANALYSIS AND FINDINGS**

Fence exception rules are listed under Seaside Municipal Code (SMC) Section 17.30.020.F.1 and 2. The process mandates that where a physical hardship exists because of unique or unusual topographic conditions or structure location, the commission may approve a fence exception subject to the following findings:

- A general safety hazard to City residents and/or the general public would not be created.
- A traffic-related safety hazard would not be created.
- The fence or wall will not impair visibility at an intersection or traffic safety visibility area.
- The fence or wall will not obstruct vision from an adjoining driveway.
- The fence or wall is compatible with the surrounding neighborhood.

Primary issues relate to whether a physical hardship (e.g. irregular lot size, slope, building placement, utilities) exist which would preclude the property owner from the reasonable use of their property if the fence exception is not granted.

The applicant's statement in support of a fence exception is provided as Attachment 6 and provides the following reasons to support the approval of the fence exception.

The wall does not:

- Create a traffic-related safety hazard (it does not block any sight from street);
- Impair visibility at an intersection (it is not at an intersection or on a corner lot);
- Obstruct vision of any angle from an adjoining driveway (see exhibit #3);
- Stand out or look bad compared to the surrounding neighborhood (it matches the fence of the next door neighbor – see exhibit #4).

-

#### **View Obstruction and Traffic Safety**

The Public Works Department has reviewed this application and has cited a violation of the 4 foot maximum height within the Traffic Safety Visibility Areas (SMC Section 17.30.020) where the driveway meets the sidewalk. They require that the applicant submit plans showing a reduction of height of the fence within the Traffic Safety Visibility Area per Section 17.30.020 (4 foot maximum height).

#### **Physical Hardship**

A physical hardship (e.g. irregular lot size, slope, building placement, utilities) exists when there are conditions that would preclude the property owner from the reasonable use of their property if the fence exception is not granted. City staff finds that a reduction in the height of the fence combined with a benching of the fence would create a condition that would comply with Section 17.30.020 and not require the approval of a fence exception for the existing as-built fence.

#### **Neighborhood Compatability**

-

Most of the neighborhood is an eclectic mix of open design (picket, wrought iron) fences which comply with the four foot maximum height limit. The height and materials of construction of the subject fence make it less compatible than most of the fences on this narrow street.

#### **CONCLUSION**

Based on the above analysis, staff is unable to justify the fence exception request based upon the code's requirement to meet a physical hardship associated with this site which would allow for an exception. Based upon this analysis combined with the hazard created by the fence being an obstruction within the Traffic Safety Visibility Area, Staff recommends denial of Fence Exception Application No. FE-18-01 with the findings as noted in the attached Draft Resolution.

**ATTACHMENTS**

1. Attachment 1 - Draft Resolution
  2. Attachment 3 - Site Photograph
  3. Attachment 4 - Applicant's Statement
  4. Attachment 5 - Traffic Safety Visibility Area
  5. Attachment 6 - Fence Heights
-

**Attachment 1**

**PLANNING COMMISSION  
RESOLUTION NO. 18-XX**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE, STATE OF CALIFORNIA, DENYING FENCE EXCEPTION APPLICATION NO. FE-18-01 TO ALLOW FOR AN AS-BUILT MASONRY FENCE WHICH EXCEEDS THE MAXIMUM HEIGHT REQUIREMENTS OF ZONING CODE SECTIONS 17.30.020.B.1 WITHIN THE REQUIRED FRONT YARD SETBACK LOCATED AT 1662 LUZERN STREET (APN 012-723-016).**

**WHEREAS**, Natalie Gibson, property owner and applicant, has applied for approval of a Fence Exception permit to allow for a five-foot five-inch masonry fence located within the 15-foot front setback and 15-foot by 15-foot driveway line site visibility triangle of an interior lot; and

**WHEREAS**, the proposed project requires approval by the Planning Commission, and based on the fact that the masonry fence has already been constructed; and

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

**WHEREAS**, the Planning Commission considered written information concerning the proposed exception at a duly noticed public hearing held on May 9, 2018; and

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

Evidence: Approval of the proposed fence exception would result in the retention of an existing five-foot five-inch high masonry fence.

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Commission adopts the following findings for the denial of Fence Exemption Application No. FE-18-01:

1. A general safety hazard to City residents and/or the general public would be created.

*Evidence: The approval of a five foot five inch high fence immediately back of sidewalk does create a safety hazard to City residents and/or the general public.*

2. The fence will impair visibility at a traffic safety visibility area.

*Evidence: The five foot five- inch high fence does impair visibility at a traffic safety area.*

3. Physical hardships do not exist based upon unique or unusual topographic conditions or structure location.

*Evidence: The lot does not contain sufficient cross slope or other unique or unusual topographic conditions to be considered a physical hardship.*

**NOW BE IT FURTHER RESOLVED**, the Planning Commission hereby denies Fence Exception Application No. FE-18-01.

AYES:

NOES:

ABSENT:

ABSTAIN:

---

John Owens, Chairperson

ATTEST:

---

Planning Commission Secretary

## SITE PHOTOGRAPH



Dear Planning Division,

February 26, 2018

My name is Natalie Gibson and I am the owner of 1662 Luzern St, Seaside CA. Following a Real Estate Disclosure Inspection, it has come to my attention that my "wave" wall/fence exceeds (only at its highest points) the 4 foot height mark permitted by law. I am writing to request a fence exception be granted.

The wall was present when I purchased the home as a foreclosure in 2008. Please see exhibit #1, which is a MLS listing advertisement from 2008. The wall is a retaining wall and does hold up the front yard. You can see what it was like in the previous listing from 2003. (exhibit #2) It does appear that some kind of wall is necessary.

The wall does not:

- a) create a traffic-related safety hazard (it does not block any sight from street)
- b) impair visibility at an intersection (it is not at an intersection or on a corner lot)
- c) obstruct vision of any angle from an adjoining driveway (see exhibit #3)
- d) stand out or look bad compared to the surrounding neighborhood (it matches the fence of the next door neighbor (see exhibit #4)

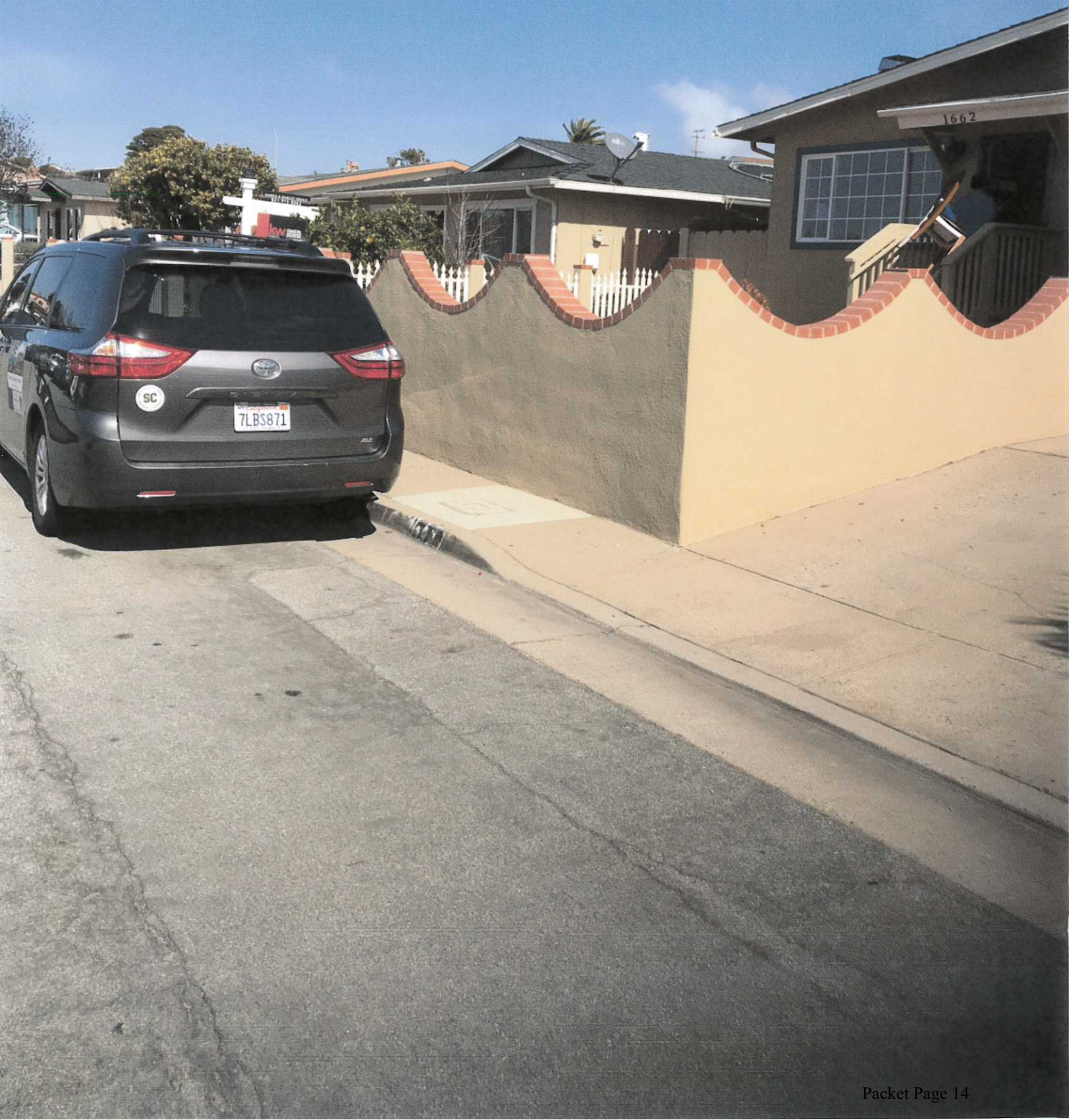
It is with this in mind that I request a fence exception be granted. I just had it painted to match the house and it looks very nice. You can see over the wall into the front yard without difficulty if you are standing on the sidewalk. The wall poses no impediments and will be very costly and difficult to remove/replace.

Thank you for your time and attention.

Best,

  
Natalie Gibson

#3



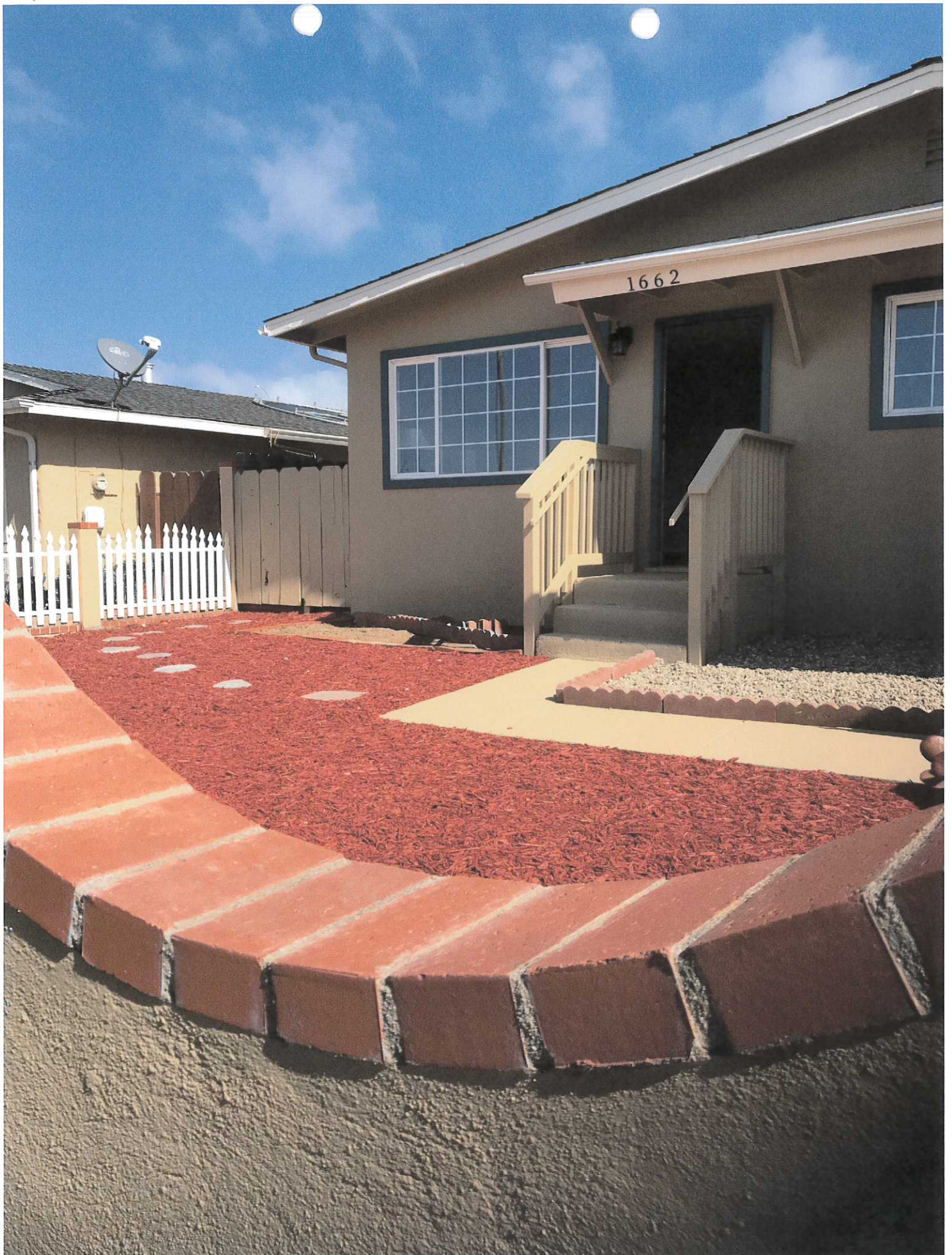
# 3



#3

#4







- E. **Height limit at street corners within traffic safety visibility areas** Development proposed adjacent to any public or private street or alley intersection, or the intersection of a driveway with a street shall be designed to provide a traffic safety visibility area for pedestrian and traffic safety. See Figure 3-4 as depicted in Figure 3-6 (Required Traffic Safety Visibility Area).

1. **Height limit.** No structure, sign, or landscape element shall exceed the maximum height within the traffic safety as established by Tables 3-1 or 3-2 under Section 17.30.020, above, unless approved by the Zoning Administrator, in consultation with the City Engineer.

a. **Exception:** Trees with the bottom canopy trimmed to a minimum of 6 feet above grade may be placed within the traffic safety visibility area.

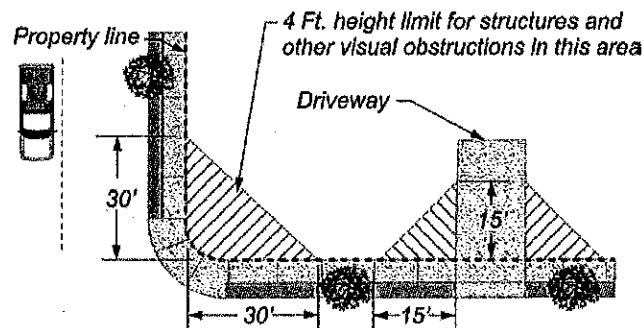
b. **Exception:** Pole signs with a clearance of at least 6 feet measured from grade to bottom of sign cabinet.

4. 2. **Measurement of visibility area.** A traffic safety visibility area is a triangle measured as follows, and may include private property and/or public rights-of-way (see Figure 3-6).

a. **Street intersections.** The street visibility area shall be defined by measuring 30 feet from the intersection of the front and street side property lines, and connecting the lines across the property.

b. **Driveways.** The driveway visibility area shall be defined by measuring 15 feet along the driveway from the intersection of the driveway with the street right-of-way line, and 15 feet along the street line, away from the driveway, and connecting the lines across the intervening property.

2. **Height limit.** No structure, sign, or landscape element shall exceed four feet in height within the traffic safety with the Public Works Director, except for trees with their canopy trimmed to a minimum of six feet above grade.



1662 Luzern

Maximum Height of Fence, 5 feet 5 inches





**CITY OF SEASIDE  
STAFF REPORT**

**Item No.: 7.B.**

**TO:** Planning Commission  
**BY:** Rick Medina, Senior Planner  
**DATE:** May 9, 2018

**SUBJECT:**

**USE PERMIT APPLICATION NO. UP-18-02. UNIVERSITY PLAZA (PROPERTY OWNER) AND FRANK PACHECO, (APPLICANT), ARE REQUESTING APPROVAL OF AN INDOOR COMMERCIAL BUSINESS (DBA JUMPIN-AROUND) LOCATED AT 1760 FREMONT BOULEVARD, STE: D-1 IN THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT.**

---

**PURPOSE & RECOMMENDATION**

In accordance with Section 17.14.030.B – Table 2-4 (Allowed Land Uses and Permit Requirements for Commercial Zones), an indoor commercial business consisting primarily of a jungle gym structure and bounce house structures and party rooms is permitted with the issuance of a Use Permit.

**BACKGROUND**

The project site is located within the University Plaza Shopping Center located at 1760 Fremont Boulevard. Location Map is provided as Attachment 2. The shopping center is comprised of eight buildings (A-H) as shown on the site plan provided as Attachment 3. The project lease area is located in Building “D” on the east side of the shopping center. All off-street parking within the shopping center is available to all tenants under a reciprocal parking agreement.

The shopping center is bordered by the Auto Center to the west (Fremont Boulevard), a mix of single family dwellings and multi-family dwelling units to south (Phoenix Avenue), a mix of commercial and multi-family dwelling units to the north (Echo Avenue), and a mixed use building and single family dwellings to the east.

**PROJECT DESCRIPTION**

Founded in 2014, Jump N Around Sports is a commercial recreation facility that will occupy approximately 9,500 square feet within lease area D-2 of the shopping center. The space will be used for a jungle gym structure, three bounce houses, climbing walls, and a gaming room

oriented to youth and toddler between ages of 3-8 years. Other use of space includes private rooms that can be reserved for events, a parent's waiting room/work area, restrooms, office, and storage. 400 square feet is slated to accommodate a retail sales area selling merchandise and pre-packaged snacks and refreshments. The hours of operation are proposed to be 10 am to 7 pm, seven days a week. A project description is provided as Attachment 4. The project floor plan and site plan is provided as Exhibit "A" to Attachment 1.

Improvements in the parking lot will be the installation of six ADA parking spaces with ADA ramps at the north side of the lease area. The existing ADA parking stalls and asphalt ramps will be removed.

### **ENVIRONMENTAL REVIEW**

This project is exempt from the California Environmental Quality Act pursuant to Class 1, Section 15301(a): Existing Facilities Class 1 consists of interior tenant improvements that would not result in an intensification of the building.

*Evidence: The proposed use will consist of making interior tenant improvements to accommodate a youth/toddler indoor commercial playground business. The proposed use will not result in an intensification of the building that would result in impacts such as noise, odors or traffic beyond which the shopping center has been designed to accommodate.*

### **STAFF ANALYSIS AND FINDINGS**

#### **USE PERMIT FINDINGS**

- 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: The subject property is located within a retail shopping center with a majority of the off-street parking located adjacent to the subject lease area. The proposed improvements will make modifications to upgrade ADA parking and accessibility. The tenant improvements will comply with Building and Fire Code accessibility. The proposed use will not impact or induced any external impact on the other tenants within the shopping center. The proposed project will activate a vacant tenant space and provide pedestrian activity. Furthermore, the proposed use will serve to attract visitors outside of the City of Seaside.*

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

Seaside General Plan Conformance

The Seaside General Plan Land Use Designation for the project site is Community

Commercial. The land use classification is intended to include retail and service oriented business facilities. The proposed project is consistent with the following General Plan Policies.

Land Use Element

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

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

***Evidence:** The proposed project will include façade and parking lot improvements to improve the physical appearance of the site.*

***Evidence:** The project will allow for the efficient use of an existing infrastructure system with minor improvements to accommodate a new indoor commercial business intended for pre-school and school age children between ages of 3-8 years.*

Economic Element

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

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

***Evidence:** The conversion of the existing vacant lease area into a youth oriented indoor commercial business would allow for the full and efficient use of the entire site and would provide an indoor youth oriented recreational business currently not available in the City of Seaside..*

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

The proposed improvements for the use will consist of minor interior improvements and exterior improvements consisting of a new facade and parking lot striping and pedestrian access requirements for ADA compliance. The project site would be designed to meet maximum occupancy requirements of the California Building Code and California Fire Code for the establishment of an indoor commercial recreational facility.

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

The project site is served by existing water, wastewater, and electrical infrastructure and facilities with adequate capacity to serve the proposed project. As condition of approval, the applicant must receive clearance from the Monterey Peninsula Water Management District to document the water needs for the concession within the facility.

3. **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.**

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

### CONCLUSION

Based on the analysis, staff recommends approval of the use permit. The proposed indoor commercial recreation business complies with the intent of the Seaside General Plan and the requirements of Title 17 of the Seaside Municipal Code.

### ATTACHMENTS

- Attachment 1: Draft Resolution No. 18-XX  
Exhibit "A: Project Plans
- Attachment 2: Location Map
- Attachment 3: Site Photos
- Attachment 4: Project Description

### ATTACHMENTS

1. Attachment 1 - Draft Resolution
  2. Exhibit A - Shopping Center Site Plan
  3. Exhibit A - Site Plan with Disable Parking and Path of Travel Improvements
  4. Exhibit A - Floor Plan
  5. Attachment 2 - Location Map
  6. Attachment 3 - Site photos
  7. Attachment 4 - Project Description
-

## RESOLUTION NO. 18-XX

### **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE, STATE OF CALIFORNIA, APPROVING A USE PERMIT TO ALLOW AN INDOOR COMMERCIAL RECREATION BUSINESS AT 1760-D2 FREMONT BOULEVARD IN THE COMMUNITY COMMERCIAL ZONING DISTRICT.**

**WHEREAS**, University Plaza Shopping, property owner, and Frank Pacheco, applicant have applied for a use permit to allow:

- A. Interior renovations for an indoor commercial recreation business within an existing 11,437 square-foot commercial tenant space located in the University Plaza Shopping Center at 1760-D2 Fremont Boulevard in the Community Commercial Zoning District.

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

**WHEREAS**, the Seaside Planning Commission considered oral comments and written information concerning the proposed use permit at a duly noticed public hearing at public meeting held on May 9, 2018, and

**WHEREAS**, the project is a Categorically Exempt, Class 1, Section 15301 meeting the following conditions:

- a) The proposed project would involve remodeling the interior of an existing commercial tenant space located within a multiple-tenant commercial shopping center. Interior improvements will include minor wall and electrical improvements to set-up the reception area, play areas, concessionaire area, and offices. Proposed improvements would be exempt from further CEQA review.

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Commission adopts the following findings for Use Permit Application No. UP-18-02:

- 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:*** *The proposed project is a permitted use in the Community Commercial Zoning District as an indoor commercial recreation business, subject to a Use Permit under Seaside Municipal Code Section (SMCS) 17.14.030, Table 2-4: Allowed Land Uses and Permit Requirements.*

***Evidence:*** *The proposed development would be subject to the regulations set forth in the Seaside General Plan and Zoning Ordinance and would result in an improved site that would enhance the character of the community and surrounding commercial businesses.*

**Evidence:** *The subject property is located within a retail shopping center with a majority of the off-street parking located adjacent to the subject lease area. The proposed improvements will make modifications to upgrade ADA parking and accessibility. The tenant improvements will comply with Building and Fire Code accessibility. The proposed use will not impact or induced any external impact on the other tenants within the shopping center. The proposed project will activate a vacant tenant space and provide pedestrian activity. Furthermore, the proposed use will serve to attract visitors outside of the City of Seaside.*

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

Seaside General Plan Conformance

The Seaside General Plan Land Use Designation for the project site is Community Commercial. The land use classification is intended to include retail and service oriented business facilities. The proposed project is consistent with the following General Plan Policies.

Land Use Element

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

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

**Evidence:** *The proposed project will include façade and parking lot improvements to improve the physical appearance of the site.*

**Evidence:** *The project will allow for the efficient use of an existing infrastructure system with minor improvements to accommodate a new indoor commercial business intended for pre-school and school age children between ages of 3-8 years.*

Economic Element

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

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

**Evidence:** *The conversion of the existing vacant lease area into a youth oriented indoor commercial business would allow for the full and efficient use of the entire site and would provide an indoor youth oriented recreational business currently not available in the City of Seaside.. 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 location, size, and operating characteristics of the project will be compatible with the character of the site, and the land uses and development intended for the Pacific Heights shopping center and the surrounding neighborhood by the Seaside General Plan.*

**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 proposed improvements for the use will consist of minor interior improvements and exterior improvements consisting of a new facade and parking lot striping and pedestrian access requirements for ADA compliance. The project site would be designed to meet maximum occupancy requirements of the California Building Code and California Fire Code for the establishment of an indoor commercial recreational facility.

**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.**

The project site is served by existing water, wastewater, and electrical infrastructure and facilities with adequate capacity to serve the proposed project. As condition of approval, the applicant must receive clearance from the Monterey Peninsula Water Management District to document the water needs for the concession within the facility.

**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.**

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

**BE IT FURTHER RESOLVED**, that the Planning Commission approves Use Permit Application No. UP-18-02 subject to the following conditions:

**Project Specific**

***Planning:***

1. Except as modified by required conditions of approval, plans submitted for a Certificate of Occupancy shall substantially conform to the plans identified as “Jumpin-N-Around” stamped as received on April 30, 2018, and approved on May 9, 2018. The project plans provided as Exhibit “A”.

2. Minor modifications to the use permit consistent with Seaside Municipal Code Section 17.54.090.C may be made subject to the review and approval by the Zoning Administrator and the Planning Commission if such modifications are in keeping with the intent of the original approval,
3. Signage is not a part of this review. The applicant shall apply for a separate sign permit for the installation of any permanent exterior or window signs. All signage shall conform to the regulations contained in Master Sign Program for University Plaza Shopping Center.
4. The hours of operation for the massage establishment shall generally be limited to the hours of 10:00 AM to 10:00 PM, daily.
5. The storefront windows shall remain clear without any type of window covering, blinds, walls, or other solid, opaque materials, except for window signs designed in accordance with Seaside Municipal Code Section 17.38.080.H.
6. Prior to the issuance of a Certificate of Occupancy, the applicant must submit design review application for the approval of the exterior façade improvements on the eastern front façade and northern side elevations.

***Fire Department:***

1. Prior to the issuance of a Certificate of Occupancy, applicant shall comply with the requirements of the Seaside Fire Marshall for the placement and spacing of the gym equipment and exiting as required under the 2016 California Fire Code.

***Building Department:***

1. Prior to commencing business, the applicant must receive a Certificate of Occupancy from the Building Division and comply with required occupancy and exiting as required under the 2016 California Building Code.
2. The project tenant space and parking lot must be renovated to be in compliance with disable accessibility requirements per Title 24 of the California Government Code.

**Standard:**

1. Use Permit approval is subject to revocation procedures contained in S.M.C.S. 17.69.060 in the event any of the conditions of this approval are violated, this discretionary permit was granted on the basis of false or misleading information, written or oral, given willingly or negligently by the applicant or property owner, and/or there has been a discontinuance of the use, or purposed for which the permit was issued, for a period of 180 days or more.

2. This Use Permit is subject to procedures and requirements of Chapter 17.54 (Permit Implementation, Time Limits, and Extensions), and those related to appeals and revocation in Article 6 (Zoning Ordinance Administration) of Title 17 of the Municipal.
3. The applicant agrees as a condition and in consideration of the approval of this discretionary permit that it will defend, indemnify and hold harmless the City of Seaside or its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul this approval. The applicant will reimburse the City for any court costs and attorney's fees, which the City may be required by a court to pay as a result of such action. City may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. The City shall promptly notify the applicant of any such claim, action, or proceeding, and the City shall cooperate fully in the defense thereof.
4. These conditions shall be binding on the applicant and all successors in interest, subject to the business operations not lapsing for a period 180 consecutive days. In the case of a transfer of ownership, the new owner of the establishment shall sign the adopted Resolution acknowledging these conditions of approval. Failure to comply with this requirement may result in revocation of this use permit.
5. Any proposed future development shall comply with the requirements of the Fire, Health, Planning, Code Enforcement, Building and Public Works Departments.
6. The project shall comply with the requirements and the applicable ordinances of the Monterey Peninsula Water Management District (MPWMD).
7. The project shall be responsible for all applicable local and/or regional development and/or impact fees including, but not limited to, sewer, water, and traffic fees, which shall be paid prior to building permit issuance.
8. The permit shall have no force or effect unless and until accepted, and the terms thereof agreed to, in writing, by the applicant and property owner within fifteen (15) days from the date of its approval.
9. This Use Permit shall expire and become void 12 months from the date of approval, or upon the expiration of another time limit established by the review authority, unless use has commenced within the required time limit or the Zoning Administrator has granted an extension of time. In accordance with Section 17.54.080.B.1.a of the Zoning Code, the applicant must file request for time extension at least 30 days prior to expiration date in order to receive consideration of time extension by the Commission.
10. For purposes of assuring compliance, the applicant, agents, representatives or their assignees agree not to deny or impede access to the subject property by City employees in the performance of their duties.

Resolution No. 18-XX

File No. UP-18-02

Page 6 of 6

**PASSED AND ADOPTED** at the regular meeting of the Planning Commission of the City of Seaside, State of California, on the 9<sup>th</sup> of May, 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

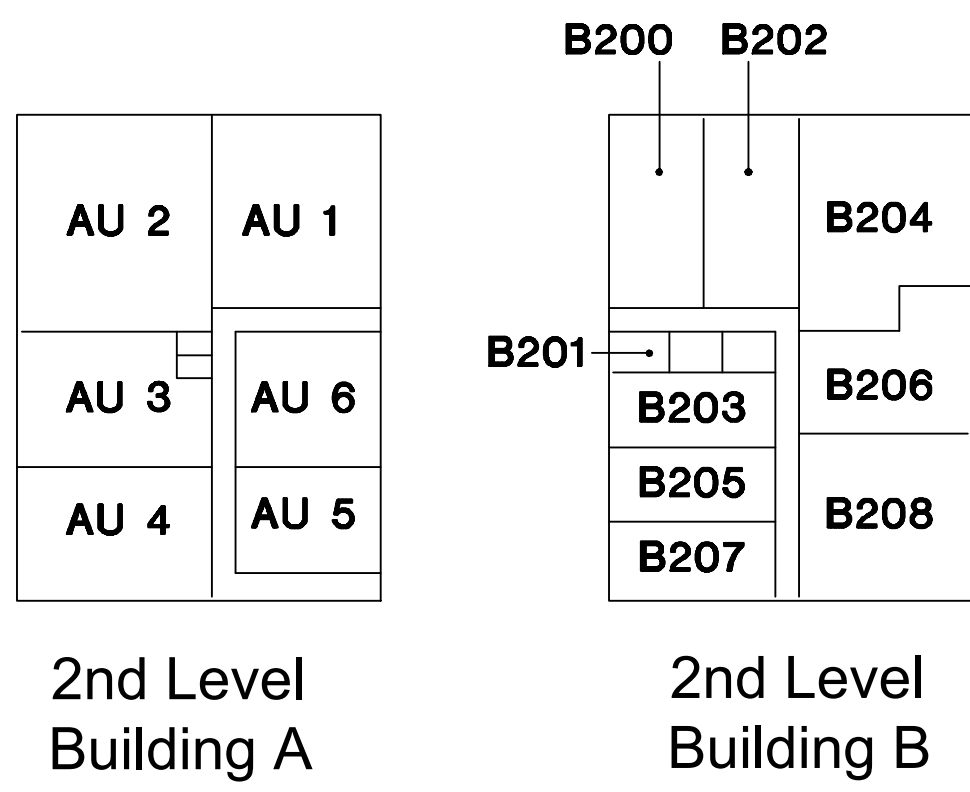
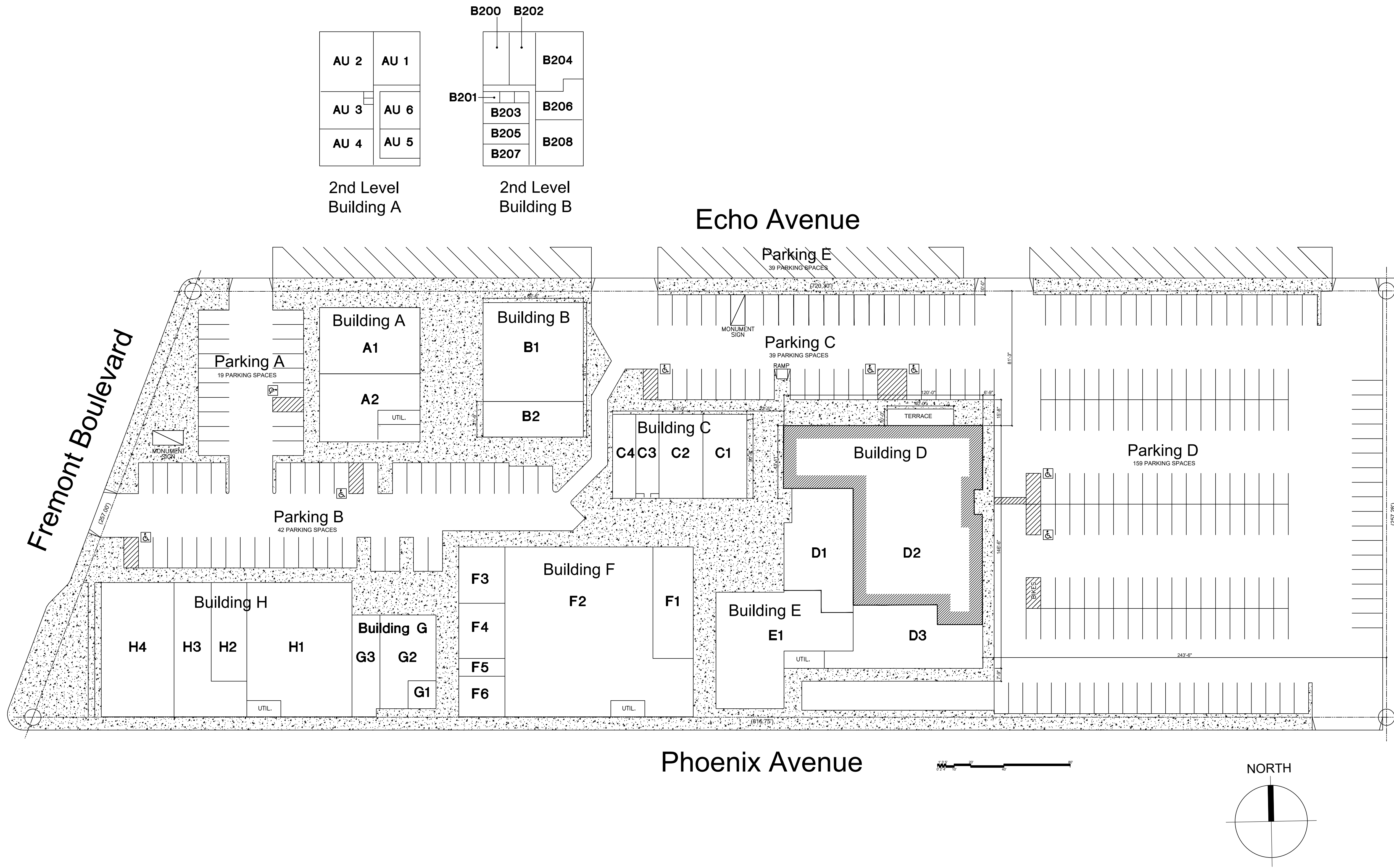
---

John Owens, Chairperson

ATTEST:

---

Lesley Milton, City Clerk



JOB No:  
18-006

| REV: | DATE: | DESCRIPTION: |
|------|-------|--------------|
|      |       |              |
|      |       |              |
|      |       |              |
|      |       |              |
|      |       |              |
|      |       |              |
|      |       |              |

APN:  
012-071-014

University Plaza Shopping Center  
1760 Fremont Boulevard  
Seaside, CA 93955  
(415) 730-3917

sheet title  
**SITE PLAN**

**LUIS MATCHAIN**  
300 B SECOND, ST.  
SAN JUAN BAUTISTA, CA.  
95045  
831 623 22 23  
831 224 20 89  
lmatchain@gmail.com

LUIS MATCHAIN

C  
1.0

THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SEASIDE AND THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND PUBLIC SAFETY (CALTRANS). THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND PUBLIC SAFETY (CALTRANS). THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND PUBLIC SAFETY (CALTRANS).

UNIVERSTIY  
PLAZA SHOPPING  
CENTER

1760 FREMONT BLVD, SEASIDE, CA 93955

JUMP-N-AROUND TENANT  
CONDITIONAL USE PERMIT

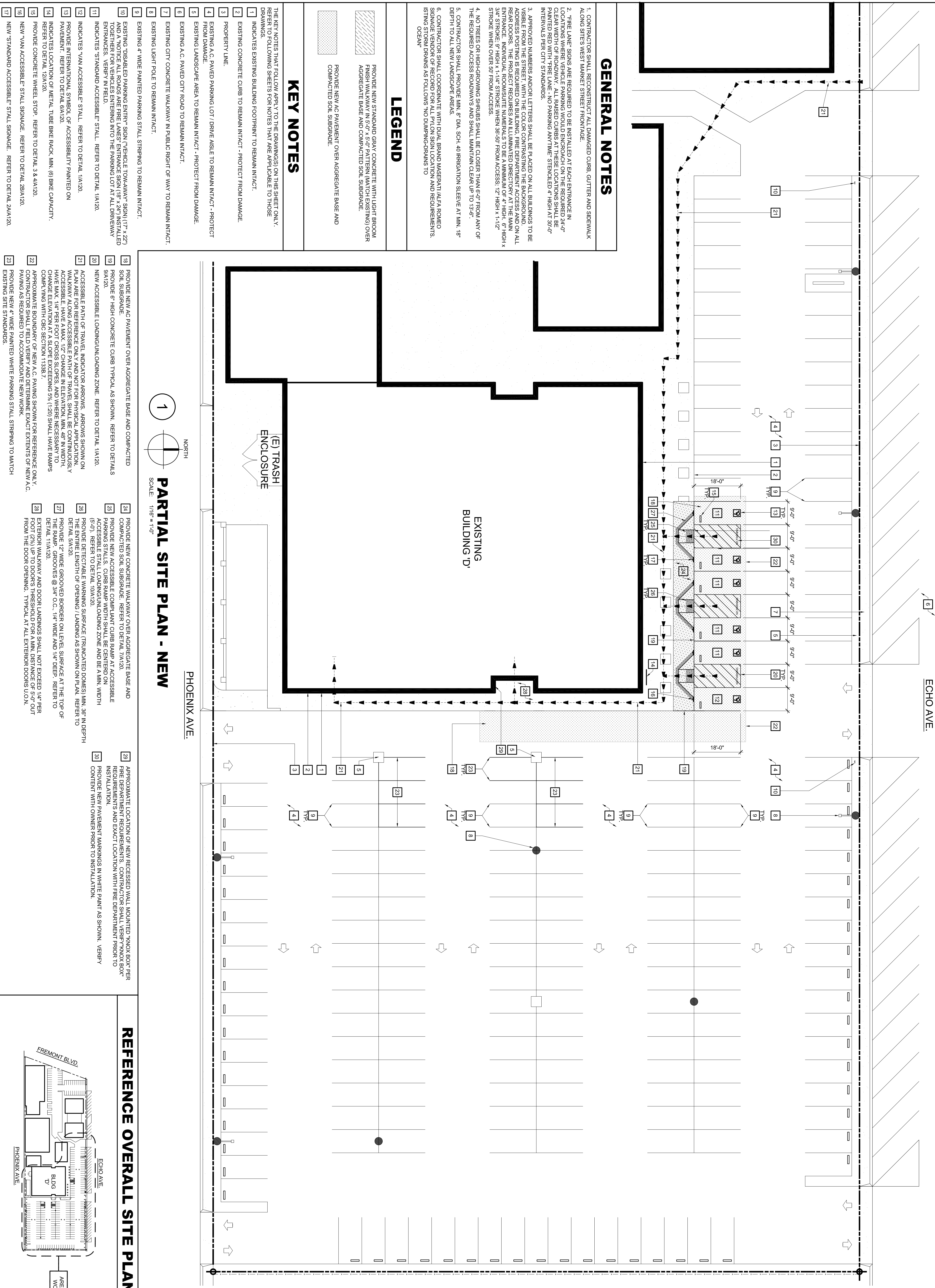
UNIVERSITY PLAZA SHOPPING CENTER  
1760 FREMONT BLVD., BLDG 'D'  
SEASIDE, CALIFORNIA 93955  
A.P.N. NO.: 012-071-014

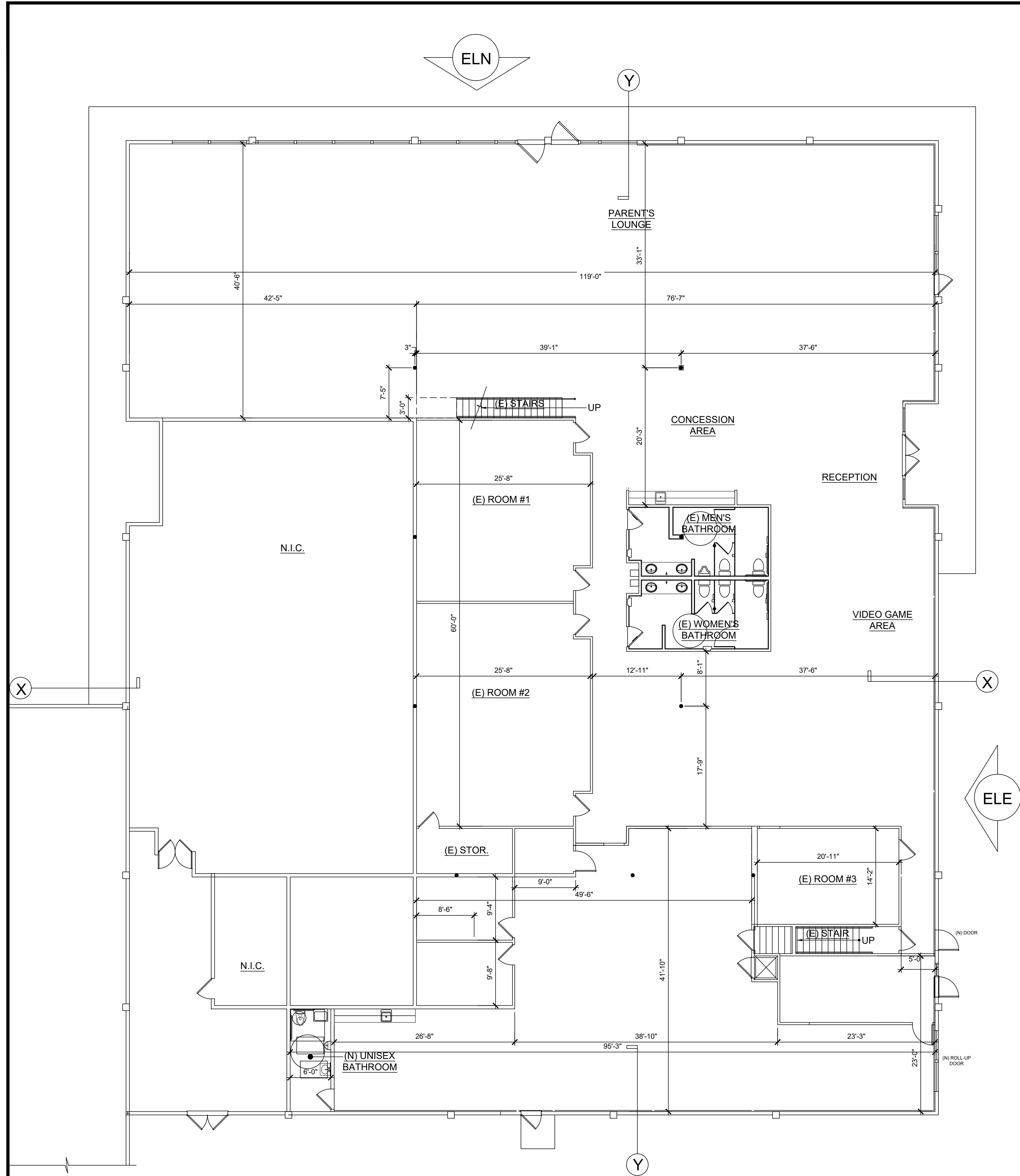
2018-001

PARTIAL SITE  
PLAN - NEW

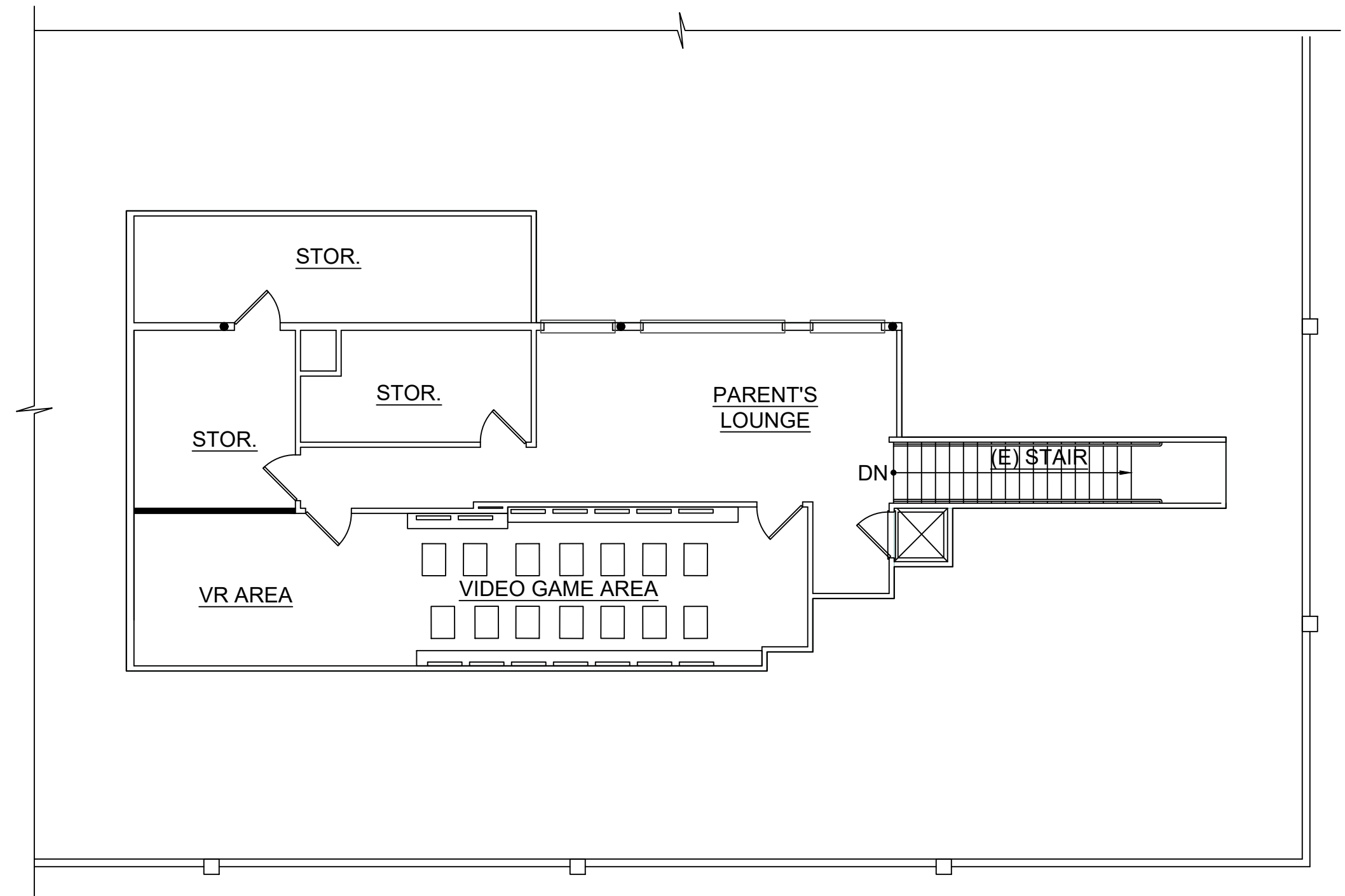
A102

FILE:

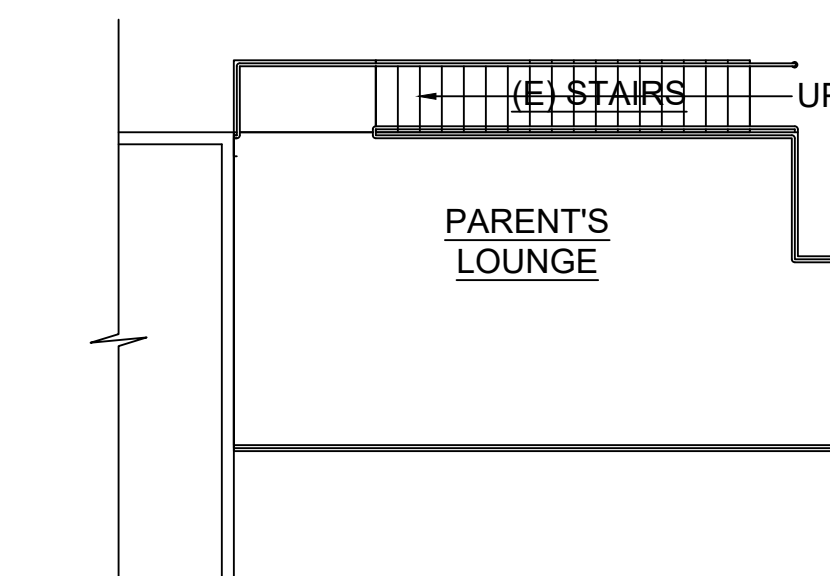




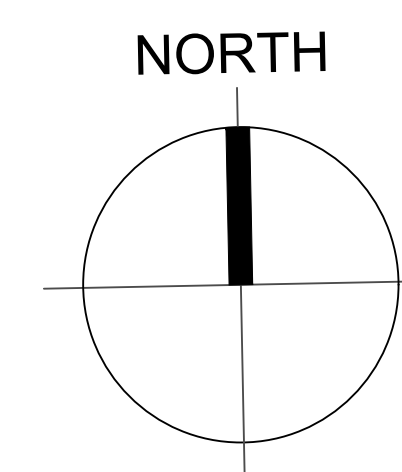
**A** FIRST FLOOR  
SCALE : 1/2" = 1'-0"



**B** MEZZANINE  
SCALE : 1/8" = 1'-0"



**C** PARENT'S LOUNGE  
SCALE : 1/8" = 1'-0"



| ARCHITECTURAL WALL LEGEND: |                     |
|----------------------------|---------------------|
|                            | (E) WALL TO REMAIN  |
|                            | (N) 2X4 STUD WALLS  |
|                            | WALLS TO BE REMOVED |
|                            | (E) CMU WALL        |

JOB No:  
18-006

DESCRIPTION:

DATE:

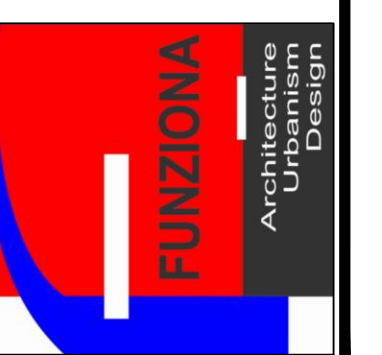
REV:

APN:  
012-071-014

University Plaza Shopping Center  
1760 Fremont Boulevard  
Seaside, CA 93955  
(415) 730-3917

sheet title  
**PROPOSED FLOOR PLAN**

**LUIS MATCHAIN**  
300 B SECOND, ST.  
SAN JUAN BAUTISTA, CA.  
95045  
831 623 22 23  
831 224 20 89  
lmatchain@gmail.com

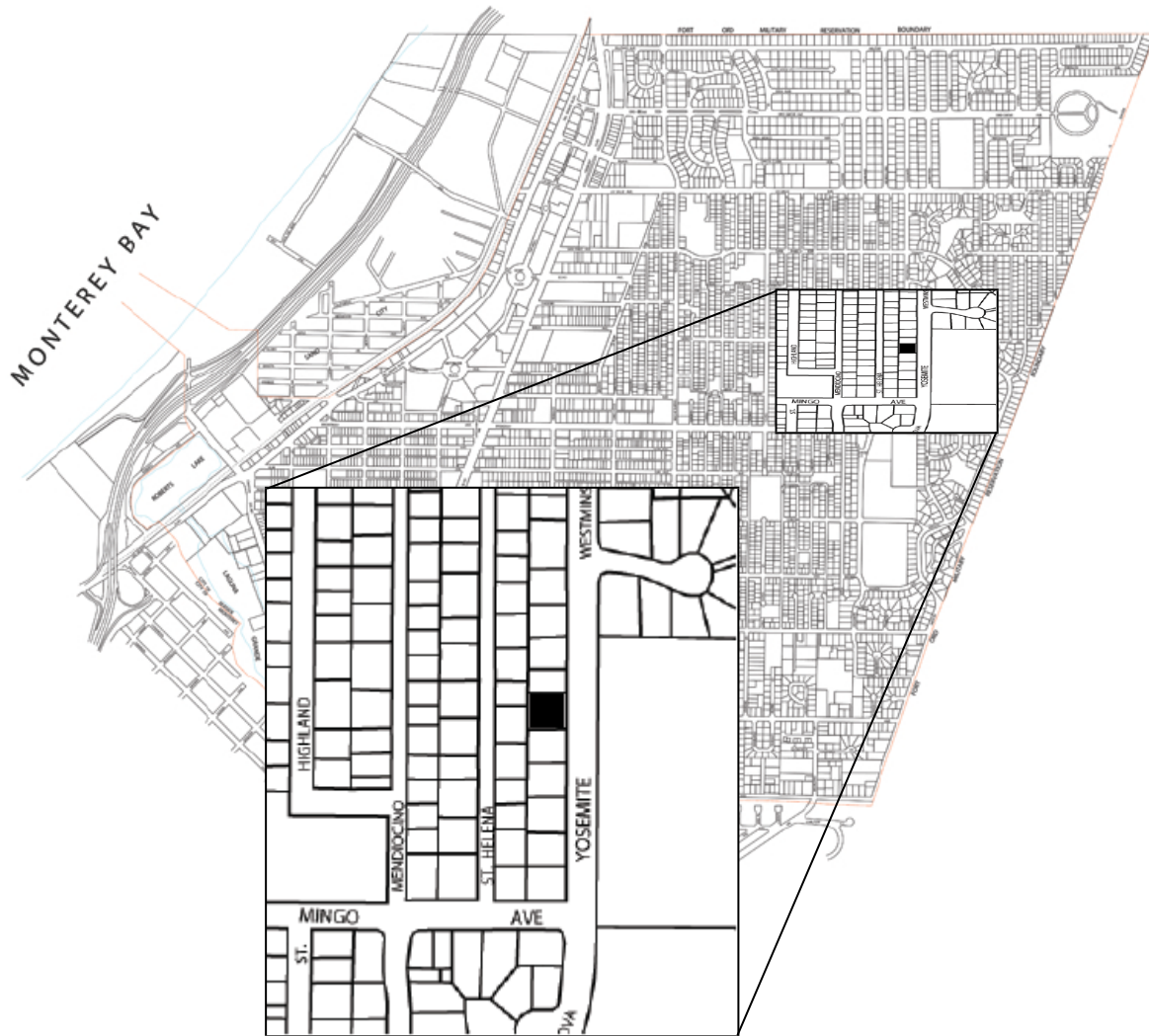


**LUIS MATCHAIN**

**A**  
**1.0**

# Location Map

Project Site: 1739 Yosemite St



Front  
Entrance



View of Front entry from Parking Lot

Front  
Entrance



View of Front and north side elevation



View of east side elevation

## Project Description

### Project Description:

Founded in 2014, **Ijump Sports, LLC dba Jump N Around Sports** is an commercial recreation facility that, subject to the approval of this use permit application, is scheduled to occupy approximately 9,500 sf of ground floor space at 1760 Fremont Boulevard (University Plaza Shopping Center). **Jump N Around Sports** presently occupies approximately 9,500 sf of space at 880 Tioga Road in Sand City (near Costco). The business is being displaced from its Sand City location due to an impending redevelopment of that land.

Historically, the subject space **has been a grocery store** and, most recently, was occupied by the **County of Monterey for office/administrative uses**. Securing the subject space is critical for Jump N Around Sports because it offers adequate contiguous ground floor area and clear height (by virtue of its historical use as a grocery store) that is difficult to come by in this market place.

Jump N Around's demographic is young families, with a primary market being children being 3 – 8 years of age. The space will be **primarily occupied by a jungle gym structure, "bounce house" structures, climbing walls/structures, and an arcade/gaming area**. Other use of space includes **private rooms** that can be reserved for events , a **parent's waiting room and work area, ADA compliant central restroom core, and back office and storage**. A +/- 400 sf area is slated to accommodate a **retail sales area selling merchandise and pre-packaged snacks and refreshments**. The hours of operation are proposed to be the same as the current facility, open seven (7) days per week from 10 AM to 7 PM.



## **CITY OF SEASIDE STAFF REPORT**

**Item No.: 7.C.**

**TO:** Planning Commission

**BY:** Bob Larsen, Associate Planner

**DATE:** May 9, 2018

**SUBJECT: CONSIDER AN APPEAL REQUESTING TO OVERTURN THE BOARD OF ARCHITECTURAL REVIEW DECISION FOR A SECOND STORY ADDITION TO AN EXISTING ONE-STORY SINGLE FAMILY DWELLING LOCATED AT 1739 YOSEMITE STREET IN THE RS-12 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT (APN 012-101-065). THIS PROJECT IS CATEGORICALLY EXEMPT CLASS 1, SECTION 15301.E.2.A, EXISTING FACILITIES, FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

---

### **PURPOSE & RECOMMENDATION**

The purpose of this item is to consider an appeal submitted by Susan Hawthorne and Felix Bachofner, seeking to overturn the approval made by the Board of Architectural Review for a second story addition to an existing one-story single family residence located at 1739 Yosemite Street.

### **BACKGROUND**

The project site is a 5,320 square foot parcel located on the west side of Yosemite Street between Mingo Avenue and San Pablo Avenue. The International School of Monterey is located on the east side of Yosemite Street. The adjacent properties to the south, west, and north are composed of one-story single family residences. See Attachment 2 for a Location Map. See Attachment 3 for Site Photos, Street View with Revised Staking and Flagging. See Attachment 4 for Site Photographs, Rear Yard.

The subject property is currently developed with a one-story, 1,004 square foot single family dwelling consisting of three bedrooms and two bathrooms with an attached two-car garage. The dwelling was constructed in 1969.

On February 21, 2018, a BAR meeting was held on the project. The applicant presented plans for the construction of a 922 square foot second story addition consisting of a master bedroom, master bathroom, kitchen, great room, and half bath. In addition to the upstairs living area, two covered decks will be created. The first floor modifications will consist of removing the existing kitchen, and converting the existing living room, and dining room and relocation of the third bedroom. The total floor area of the dwelling with the new addition will be increased to approximately 1,926 square feet. An existing wood deck and detached accessory structure located within the rear yard setback will be removed.

The BAR had concerns with the amount of roof area being added, the lack of substantial second story building offsets from the first floor footprint, and the lack of a cohesive entry feature over the front door. During the design review process the following concerns were addressed by neighbors.

- obstructions of views toward the Monterey Bay,

- overall building mass, and
- extension of the roof over the open deck on the second floor.

This matter was continued to the April 4, 2018 meeting to allow the applicant time to respond to the BAR comments.

The applicant submitted revised plans which were heard at the April 4, 2018 BAR meeting. The revised plans are submitted as Attachment 1, Exhibit A. The revised plans include the following modifications:

- sections of a flat roof,
- lowering the ridge line one foot,
- lowering the second floor plate height from 9 to 8 feet,
- shortened the roof at the north and south ends of the house by 2 feet,
- revised the front entry to match the house with a hip roof, and
- providing solid wood siding at the master bedroom deck.

The applicant also introduced landscaping to mitigate the impact on sightlines to the properties on St. Helena Street. The BAR approved the revised plans subject to the following revisions

- (enlarging) the front entry,
- adding a belly band on the front elevation to the left of the entry, and
- Consider using more of the front setback to increase the entry feature subject to staff approval.

The applicant's explanation of the modifications/revisions to the project plans are provided as Attachment 7.

## **STAFF ANALYSIS**

The Planning Commission may consider any issue involving the matter that is the subject of the appeal ("de novo"), in addition to the specific grounds for the appeal. The Planning Commission may affirm, affirm in part, or reverse the decision that is the subject of the appeal, based upon findings of fact about the particular case. The Planning Commission may adopt additional conditions of approval that may address issues or concerns other than the subject of the appeal. The Planning Commission may disapprove the previous BAR approval, even if the appellant only requested modification or elimination of one or more conditions of approval. If new or different evidence is presented on appeal, the Planning Commission may refer the matter to the BAR for further consideration. In the event of a tie vote, the decision being appealed shall stand.

The proposed project is in compliance with the Seaside Development Standards as noted: the Floor Area Ratio (FAR) will at 37 percent (FAR) which is under the maximum 45 percent FAR for a single family residential zone. The proposed 41 percent Lot Coverage will be under the maximum 65 percent maximum. The maximum height will be 22 feet 6 inches which is under the maximum 24-foot height limit allowed in the RS-12 zoning district. The footprint of the dwelling will be in compliance with the required setbacks listed below.

| Setbacks | Minimum | Proposed         |
|----------|---------|------------------|
| Front    | 15 feet | 20 feet          |
| Side     | 5 feet  | 5 feet           |
| Rear     | 15 feet | 26 feet 6 inches |

The BAR determined that the changes made to the proposed project would provide a cohesive design to blend with the neighborhood.

## **Design Criteria**

Seaside Zoning Code section 17.62.030.E.1 states that Architectural Review approval shall consider the character, quality, scale of design, architectural relationships with the site, building materials, lighting, and other applicable aspects of the design.

The exterior finish of the dwelling will consist of a combination of stucco (Kelly Moore “Ice Age” - gray) and horizontal cedar wood siding (stained Cabot Tone Deck & Siding Stain). A cedar wood fascia and window trim will surround the metal frame windows and doors and will be painted Kelly Moore “Wrought Iron Gate”. The hip roof over the second story living area and decks will consist of a charcoal gray standing seam metal roof material. Stainless steel deck railing and cable systems with wood caps will be used at the balcony and decks. The master bedroom deck will be enclosed with solid wood siding. A four panel sectional roll up garage door is proposed. See Attachment 5 for Colors and Material Board.

Exterior lights will consist of the following fixtures:

- Recessed can lights will be located at the covered decks.
- Titanium finish exterior wall sconces (Hinckley Lighting H1648) will be located on the perimeter walls and doorways.

All second story additions require design review approval and are reviewed on a case-by-case basis, taking into account the natural features and characteristics of the surrounding neighborhood, the massing and placement of the second story addition, its integration into the existing neighborhood, and compatibility with the architectural design of the dwelling. The General Plan and the Zoning Ordinance empowers both the BAR and Planning Commission to impose conditions needed to protect the health, safety, and general welfare of the adjoining properties. The city has adopted SFRDG to serve as performance standards in regulating the overall architectural characteristics and style (e.g. mass, scale, proportion, elimination of “box like” appearance”, neighborhood compatibility) of an addition in relation to both the project site and surrounding neighborhood. The SFRDG are provided as Attachment 5.

The SFRDG Section II. Mass and Scale, Subparagraph C, Second Story Setbacks, recommends that the second story front setback should average 5 feet more than the first floor setback. This section continues to say that for some architectural styles it may not be appropriate to step back the second floor or in some cases it may not be reasonably feasible for additions to existing homes. The modified plans show the average front setback of the second story to be 3.5 feet from the first story of the house. The north side of the house is set back an average of 16 feet or 6.5 feet if measured to the roof overhang. The south side is set back an average of 4 feet or 1.1 feet if measured to the roof overhang. The BAR considered this setback to be consistent with the SFRDG. The BAR found that the project includes the following design elements from the SFRDG:

**I.A.iii.** Entry walkways should extend to the sidewalk, rather than the driveway.

*Evidence: The applicant proposes to introduce a new walkway system parallel to the driveway from the entry to the sidewalk.*

**II.A.i.** The physical size and mass of the project should be proportional to the lot size.

*Evidence: The proposed Floor Area Ratio (FAR) is 37%. The allowed FAR is 45%. The proposed Lot Coverage is 41%. The allowed Lot Coverage is 65%.*

**II.A.iii.** Architectural elements should be designed to eliminate the appearance of box like buildings.

*Evidence: The second story includes setbacks/offsets on the front, sides and rear elevations, and multiple building materials*

- III.A.v.** To the extent feasible, the architectural character established for the street facing elevations should continue on all elevations.

*Evidence: The use of a hip roof design, stucco exterior, and metal frame windows will continue the street facing elevations on all four elevations.*

- III.A.viii.** The boundary between each floor of the dwelling structure should be delineated through belt courses, cornice lines, balconies, or similar architectural detailing.

*Evidence: Belly band, materials of construction, and matching fascia details delineate the two floors of the building.*

- III.D.i.** Consistent and harmonious use of high quality, durable materials is encouraged.

*Evidence: The applicant is proposing stucco, wood siding, wood fascia and a metal roof throughout.*

### Project Issues

The appellants contend that the approval violates provisions of the General Plan. Approval ignores significant elements of the SFRDG. BAR did not adequately consider impacts. BAR did not perform site visit nor visit homes of impacted stakeholders as requested/offered during 1<sup>st</sup> public meeting. The following is an analysis of the issues identified in the reason for the appeal:

#### **Issue #1: Project would be inconsistent with Land Use Policy 4.1.1 and Urban Design Policy UD-2.1 of the Seaside General Plan**

The BAR determined that the project as amended would be consistent with the General Plan based on the following evidence:

*Evidence: The BAR found that based the proposed project, as amended, would not create excessive bulk and mass that would be out of character with the surrounding neighborhood and/or adversely affect the privacy of the neighboring dwelling units. There is a balance of views of and from the subject property.*

#### **Issue #2: Project would be inconsistent with the City's adopted Single-Family Residential Design Guidelines**

The BAR determined that the proposed project, as amended, would be consistent with the SFRDG based on the following evidence:

*Evidence: The approved amended project design has increased the second story setbacks, lowered the overall height of the structure, and articulates the massing of the structure in accordance with the Mass and Scale requirements of the Single Family Residential Design Guidelines.*

*Evidence: The amended project will avoid a box-like appearance through the variation in the roofline, building materials, elevations.*

**ENVIRONMENTAL REVIEW**

In accordance with Section 15301(e) of the California Environmental Quality Act, additions not resulting in an increase of more than 50% of the existing floor area are deemed categorically exempt from the provisions of CEQA.

**Fiscal Impact**

This project will not impact the City's General Fund.

---

**ATTACHMENTS**

1. Attachment 1 - Resolution No. 18-XX
  2. Attachment 1, Ex. A - Revised Project Plans
  3. Attachment 1, Ex. B - Original Project Plans
  4. Attachment 2 - Location Map
  5. Attachment 3 - Site Photo with Staking
  6. Attachment 4 - Site Photos, Rear Yard
  7. Attachment 5 - Color Board
  8. Attachment 6 - SFRDG
  9. Attachment 7 - Owner's Statement of Modifications to Plans
  10. Attachment 8- Appeal Form
-

## RESOLUTION NO. 18-XX

### **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE, STATE OF CALIFORNIA, DENYING AN APPEAL TO OVERTURN THE BOARD OF ARCHITECTURAL REVIEW DECISION APPROVING A SECOND STORY ADDITION AT 1739 YOSEMITE STREET. (APN 012--00).**

**WHEREAS**, the Board of Architectural Review met on February 21, 2018 and April 4, 2018 to review the application of Arthur Nobida, property owner, for a second story addition to an existing one-story single family residence located at 1739 Yosemite Street; and

**WHEREAS**, Susan Hawthorne and Felix Bachofner, Appellants, have filed an appeal to the Planning Commission to overturn the decision of the Board of Architectural Review action taken on April 4, 2018, approving Board of Architectural Review Application No. BAR-17-15 with stipulated modifications for a second story addition; and

**WHEREAS**, the Seaside Planning Commission, at a duly noticed public hearing on May 9, 2018, considered oral comments and written information concerning the proposed second story addition; and

**WHEREAS**, the Planning Commission heard the appeal de novo, and it is the responsibility of the Planning Commission to consider and weigh the merits of the appeal and public input in relation to the policies, standards and intent of the Seaside General Plan and the Seaside Municipal Code for the proposed second story addition; and

**WHEREAS**, the proposed second story addition is Categorically Exempt, Class 1, Section 15301.e.2.A, pursuant to the California Environmental Quality Act (CEQA) Guidelines.

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Commission adopts the following findings denying the appeal and upholding the approval of Board of Architectural Review Application No. BAR-17-15 based on the following findings:

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

*Evidence: The proposed addition complies with all applicable standards of development and provisions of the Zoning Ordinance and the Municipal Code. This Design Review Permit will allow the addition of a 922 square foot second story addition to the existing single family dwelling.*

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

*Evidence: The project site is designated as Medium Density Single-Family Residential (MLS) in the General Plan Land Use Element. This designation is applied to areas with*

*existing detached single-family dwellings with a maximum density of 12 dwelling units per acre.*

The General Plan requires all new development to complement and enhance existing land uses, as set forth in the following Land Use Goal and Policy:

- Goal LU-4 – Ensure that new development compliments existing land uses and enhances the character of the community and its neighbors.
- Policy LU-4.1 – Require that all new development is compatible with surrounding uses, the site, and available infrastructure.

*Evidence: The proposed addition will comply with all standards of development associated with the RS-12 zoning district.*

*Evidence: The applicant has incorporated design features and architectural rhythms of the existing structure to have a contextual relationship with the existing neighborhood.*

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

*Evidence: The site is an existing residence in the RS-12 zoning district. Access would be provided from Yosemite Street by a two car driveway. Extension of public utilities is not required for the proposed project. The completion of a second-story addition will not alter the location of existing utilities or access from the public right-of-way.*

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. The Fire Department, Building Department and Public Works Department had general comments that are included as conditions of approval.*

**BE IT FURTHER RESOLVED**, that the Planning Commission hereby upholds the Planning Commission approval of Board of Architectural Review Application No. BAR-17-15 subject to the following conditions:

**Project Specific:**

***Planning:***

1. Except as modified by required conditions of approval, plans submitted for a building permit shall substantially conform to the revised plans identified as “Nobida Residence” stamped as received on March 19, 2018, and as conditioned at the meeting that additional modifications shall be made to the front entry, introduction of a belly band, and possible extension into the front yard area subject to Planning staff approval.

***Fire Department:***

2. Fire sprinklers are required.

**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. 17.64.080. 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 17.64.090.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. The project shall be responsible for all applicable local and/or regional development and/or impact fees including, but not limited to, sewer, water, and traffic fees, which shall be paid prior to building permit issuance.

7. 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.
8. 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.
9. The proposed project shall comply with the applicable requirements of the Monterey Peninsula Water Management District for the installation of new water fixtures and landscape irrigation equipment.
10. 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.
11. Water conservation fixtures shall be provided in the proposed project.

**PASSED AND ADOPTED** at a regular meeting of the Planning Commission of the City of Seaside, State of California, on the 9th day of May, 2018, by the following vote:

AYES:

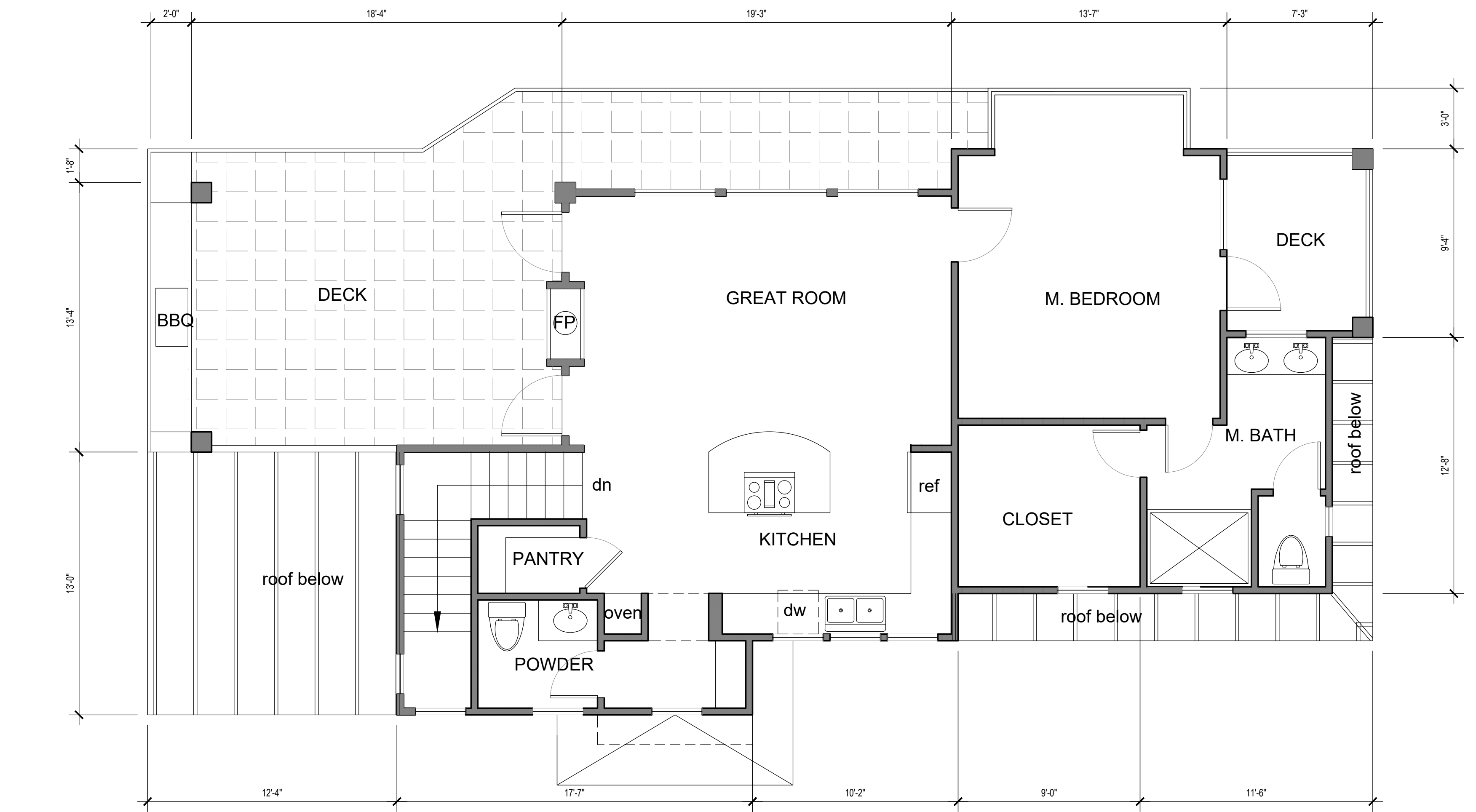
NOES:

ABSENT:

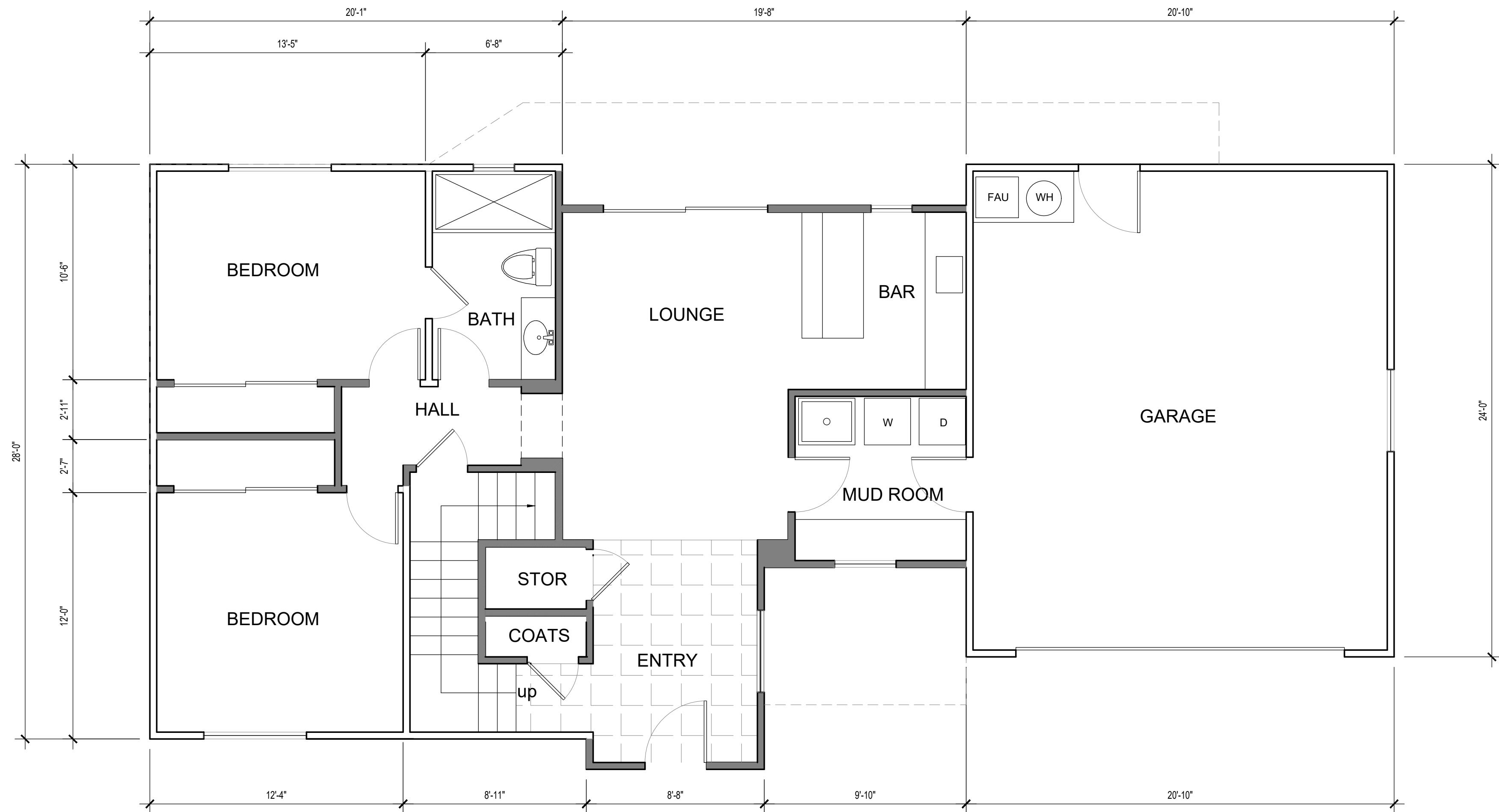
ABSTAIN:

---

John Owens, Chairman

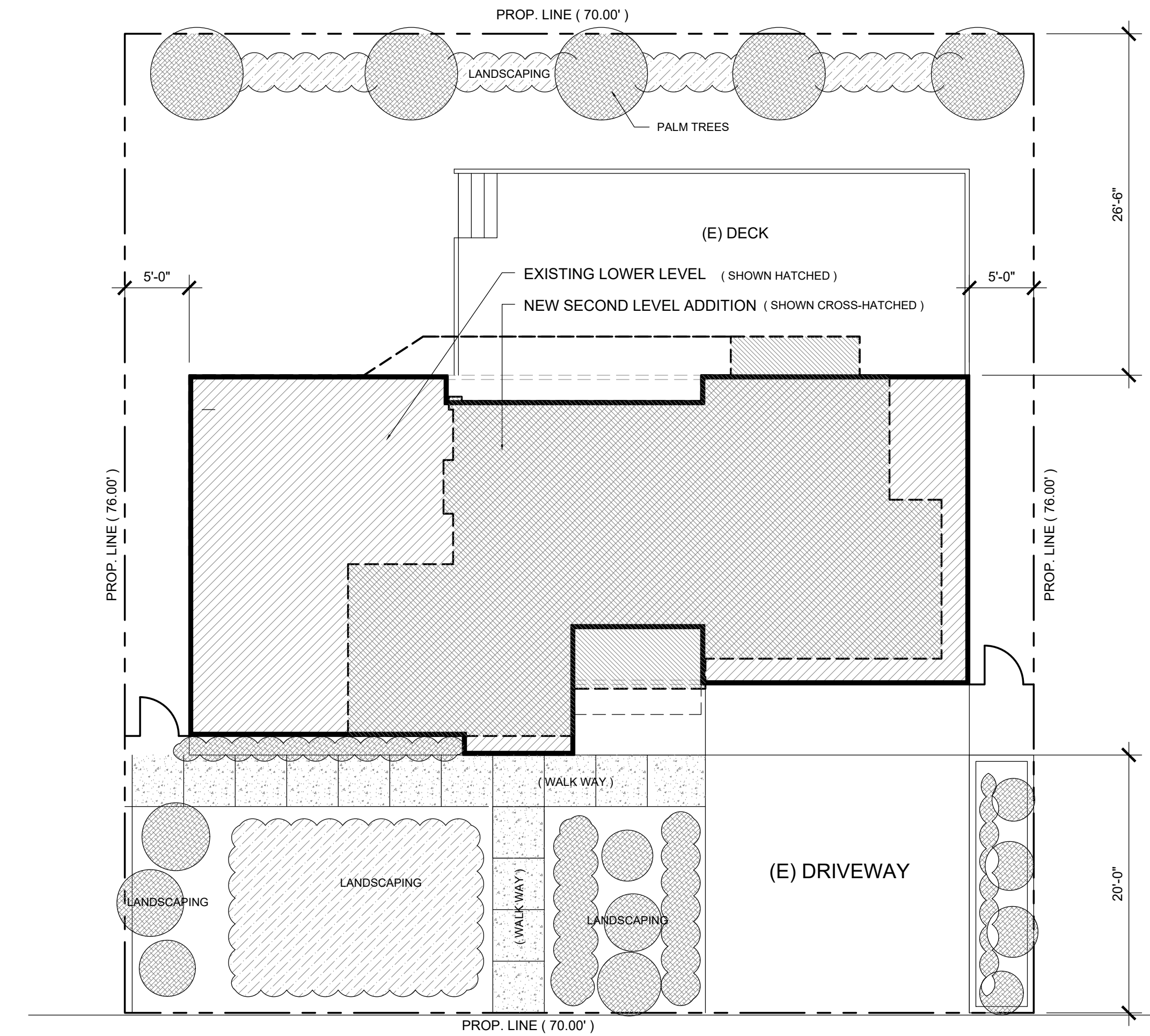


SECOND FLOOR PLAN  
SCALE : 1/4" = 1'-0"



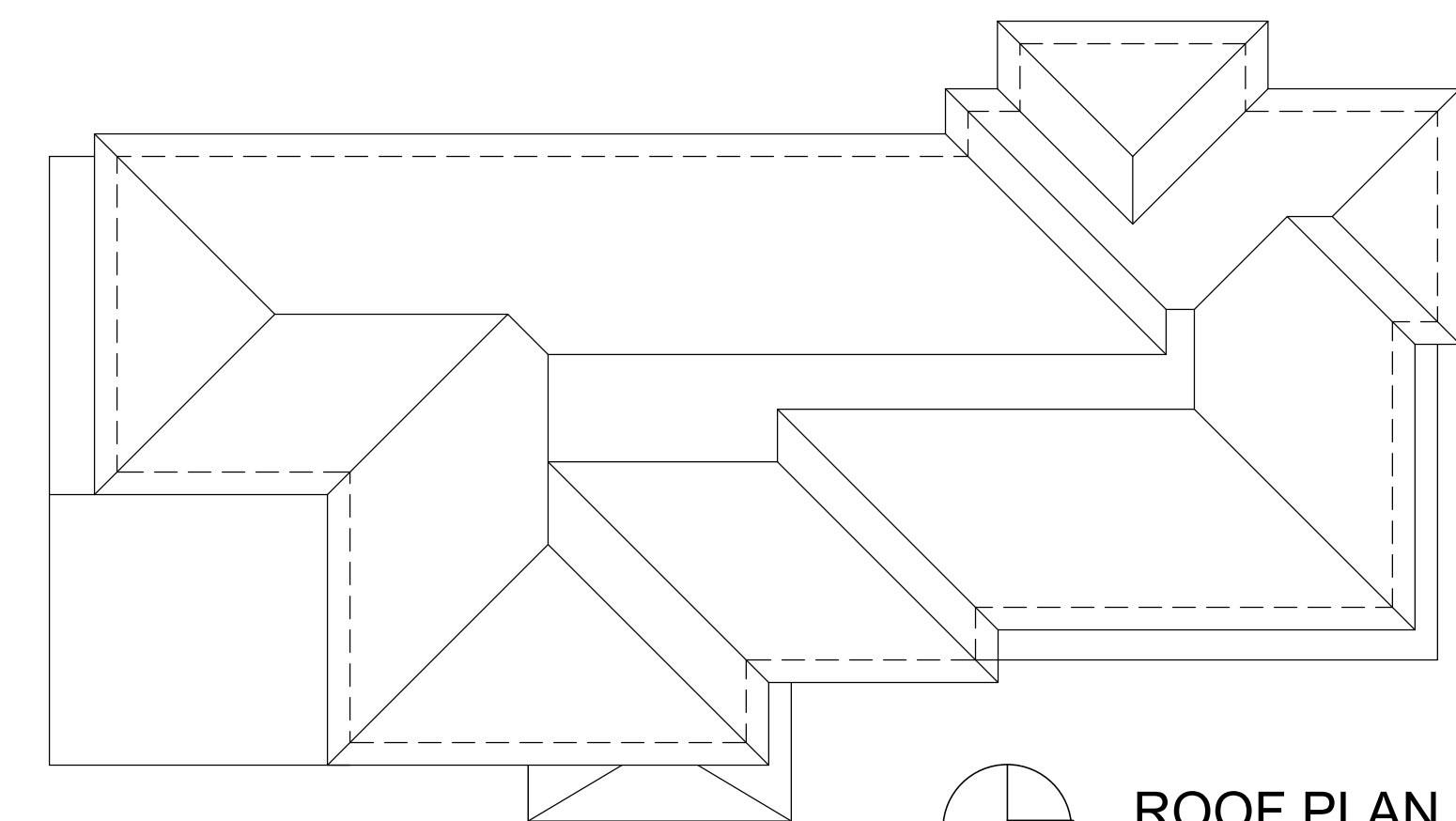
FIRST FLOOR PLAN  
SCALE : 1/4" = 1'-0"

WALL LEGEND  
EXISTING WALL TO REMAIN  
NEW WALL, 2X4 @ 16" O.C. U.O.N.



YOSEMITE STREET

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



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

SCOPE OF WORK:  
SECOND LEVEL ADDITION TO EXISTING ONE STORY  
SINGLE FAMILY RESIDENCE,

| PROJECT DATA:      |                                                            | AREA TABULATION:  |                            |
|--------------------|------------------------------------------------------------|-------------------|----------------------------|
| PROPERTY LOCATION: | 1739 YOSEMITE STREET, SEASIDE CA 93955                     | FLOOR AREA:       |                            |
| PROPERTY OWNER:    | ARTHUR NOBIDA<br>1655 YOSEMITE STREET<br>SEASIDE, CA 93955 | (E) LIVING SPACE: | 1,004 SQ. FT.              |
| PARCEL NUMBER:     | 012-101-065                                                | (E) GARAGE:       | 500 SQ. FT.                |
| LOT SIZE :         | 5,320 SQ. FT.                                              | (N) ADDITION:     | 922 SQ.FT                  |
| ZONING :           | R-2                                                        | TOTAL:            | 2,426 SQ. FT..             |
| CONSTRUCTION:      | TYPE V - B (U)                                             | LOT COVERAGE :    | 28.27 % ( 40% MAX ALLOWED) |

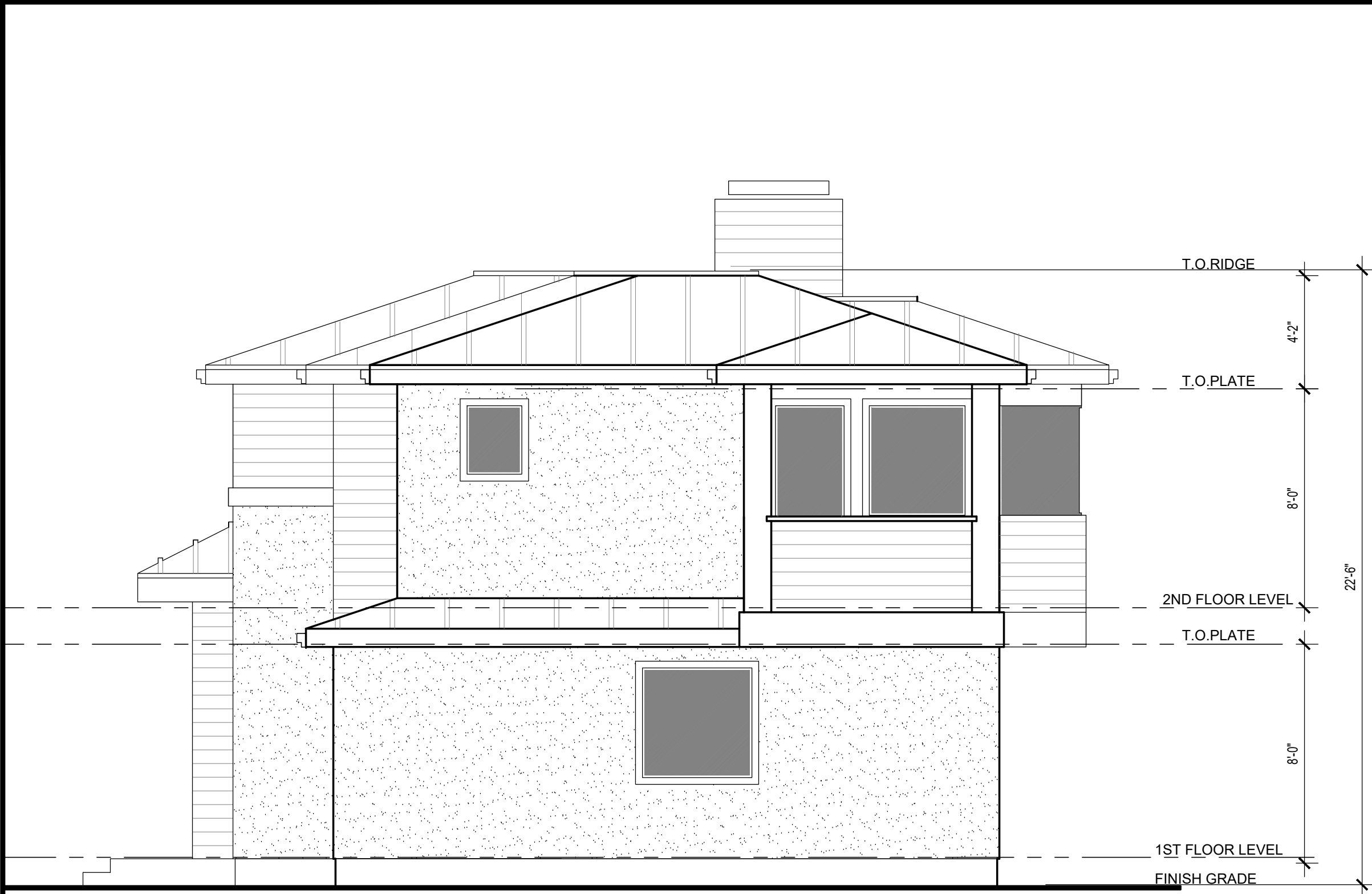
JIMMY MONDALA  
3079 ZANETTA DRIVE , MARINA CA 93933  
jimondala@yahoo.com (831) 521-7698

ADDITION AND REMODEL TO :  
NOBIDA RESIDENCE  
1739 YOSEMITE STREET , SEASIDE CA

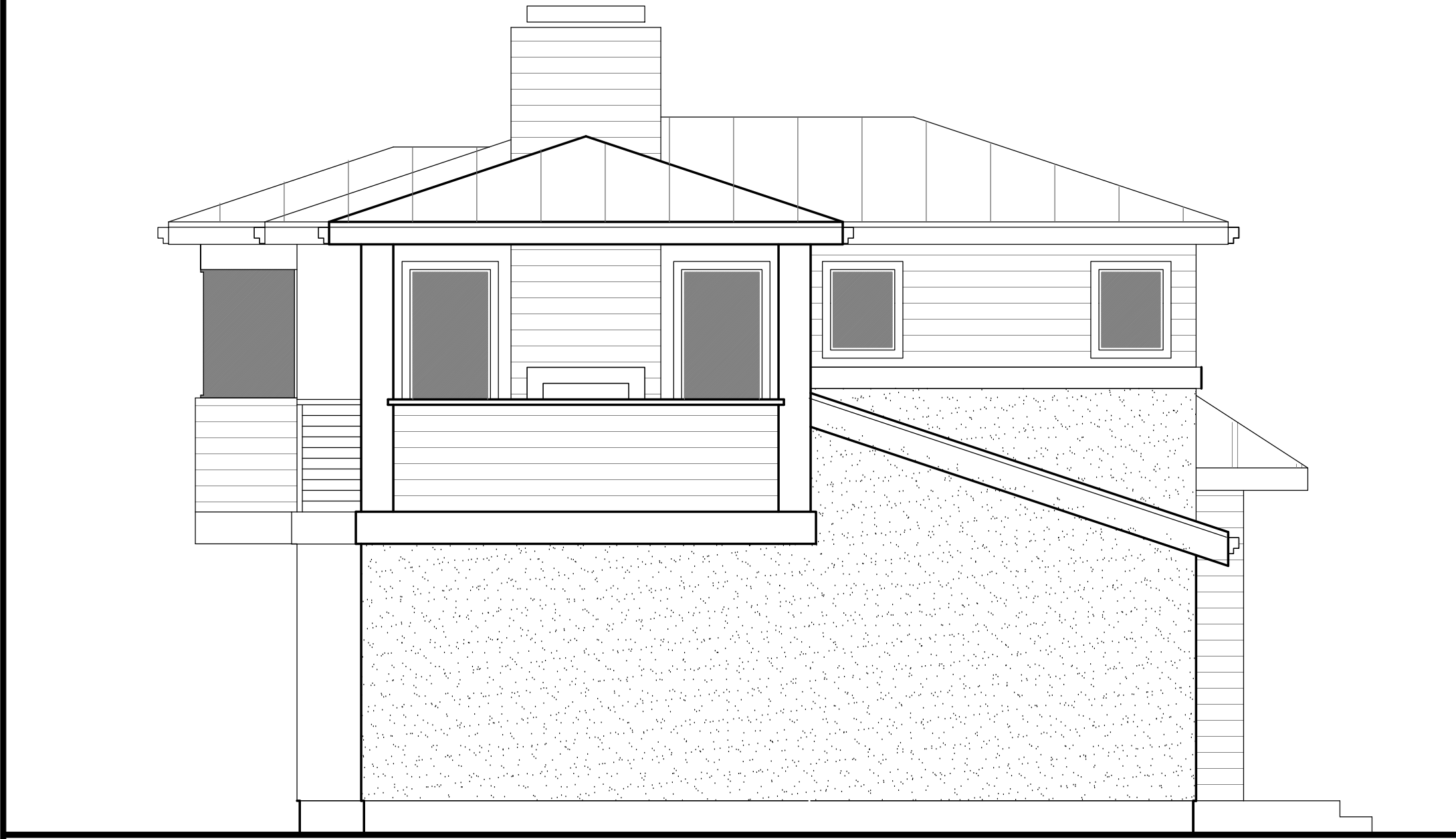
SITE PLAN  
FLOOR PLAN

DATE: 03/13/18  
SCALE:  
DWG. BY: J. MONDALA  
JOB No.  
REV:

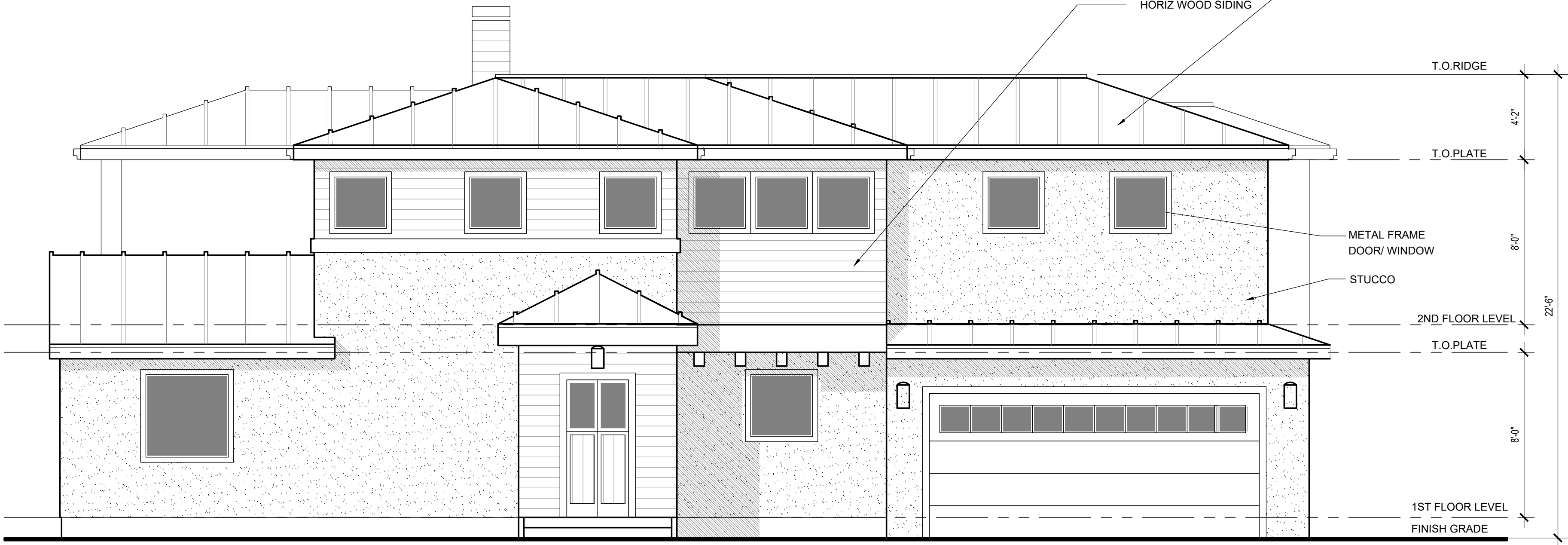
A1



**NORTH ELEVATION**  
SCALE : 1/4" = 1'-0"



**SOUTH ELEVATION**  
SCALE : 1/4" = 1'-0"



**EAST ( FRONT) ELEVATION**  
SCALE : 1/4" = 1'-0"



**WEST (REAR) ELEVATION**  
SCALE : 1/4" = 1'-0"

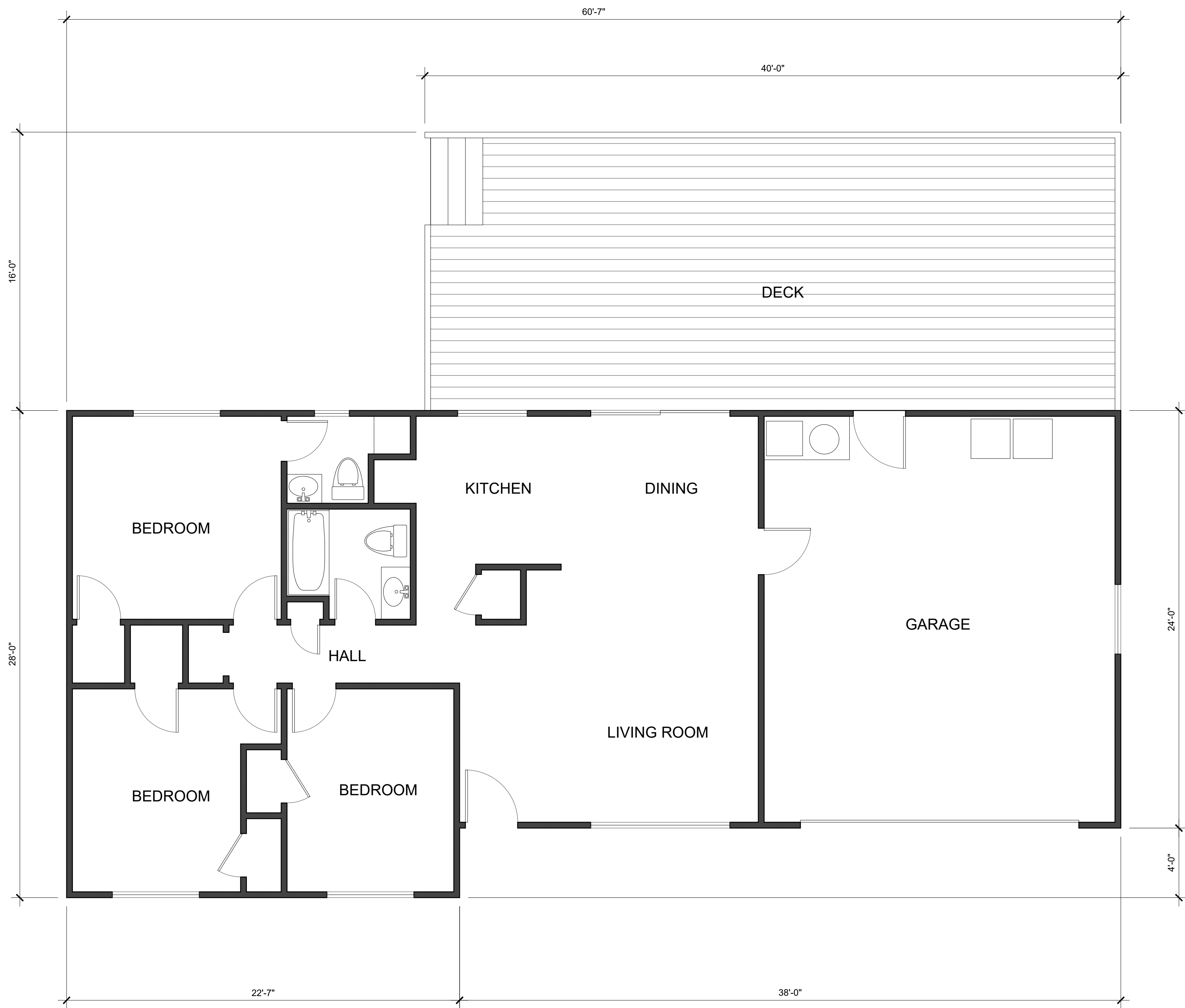
**JIMMY MONDALA**  
3079 ZANETTA DRIVE , MARINA CA 03033  
jimondala@yahoo.com (831) 521-7658

ADDITION AND REMODEL TO :  
**NOBIDA RESIDENCE**  
1739 YOSEMITE STREET , SEASIDE CA

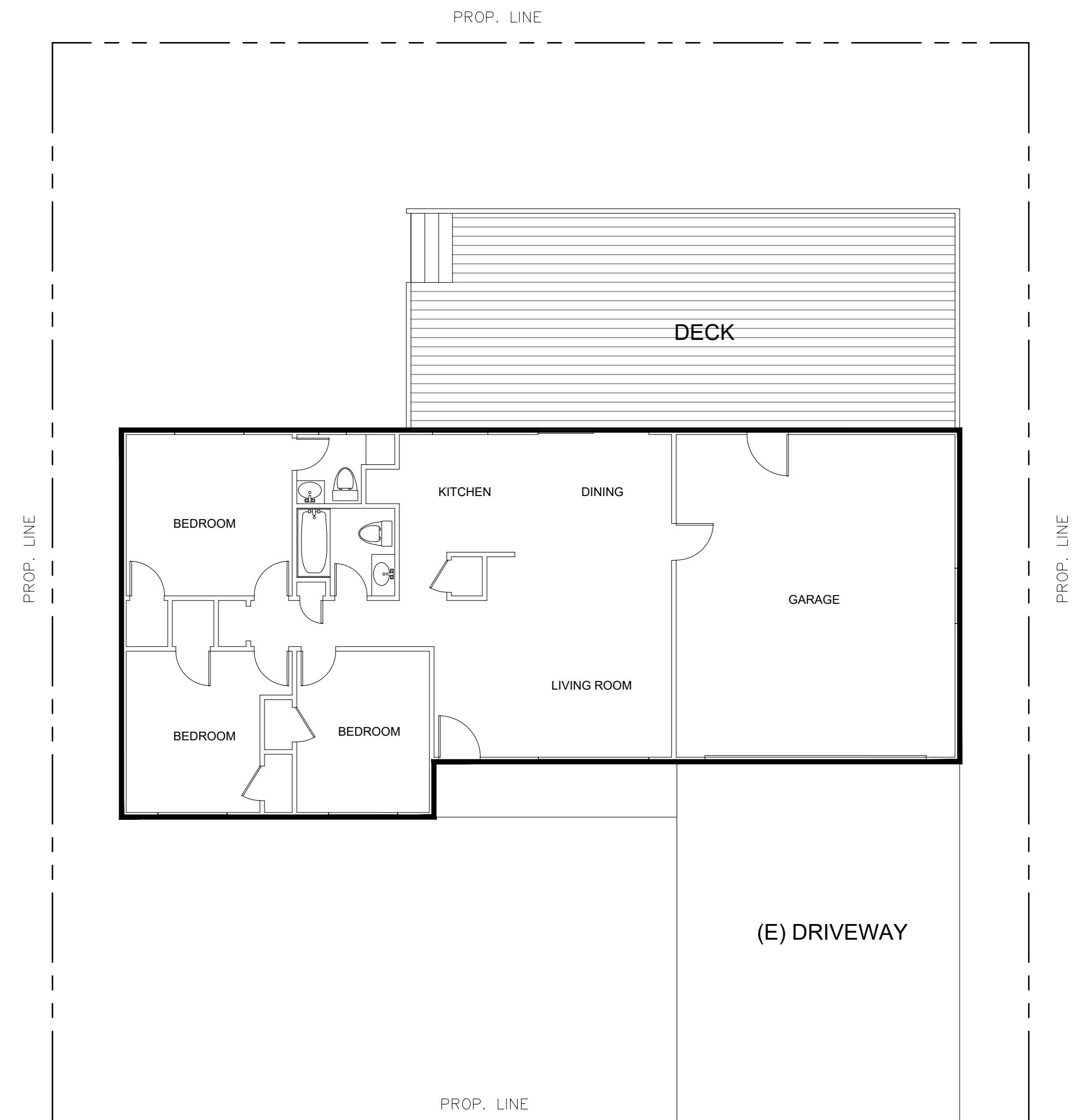
**ELEVATIONS**

DATE: 03/13/18  
SCALE:  
DWG. BY: J. MONDALA  
JOB No.  
REV:

**A2**



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



YOSEMITE STREET

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

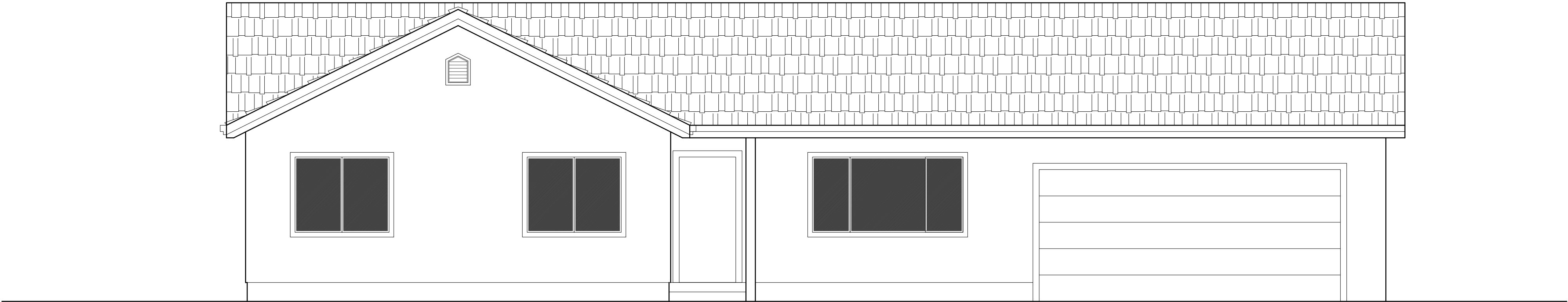
DRAWN AND PREPARED BY:  
**JIMMY MONDALA**  
3079 ZANETTA DRIVE , MARINA CA 93933  
(831) 521-7658 jimondala@yahoo.com

**ARNOLD & GINA NOBIDA RESIDENCE**  
1379 YOSEMITE STREET , SEASIDE CA

**SITE PLAN  
FLOOR PLAN**

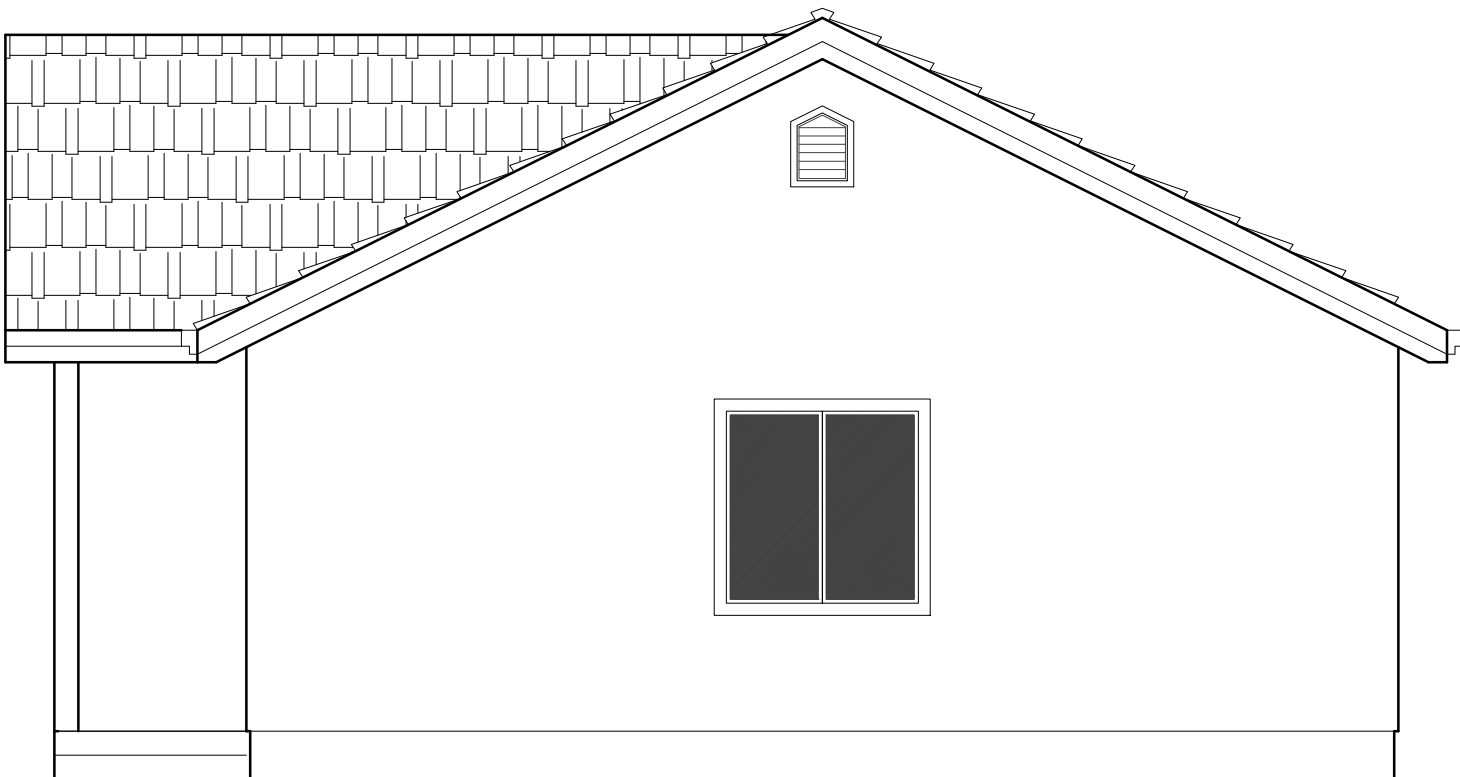
DATE: 09/09/17  
SCALE: AS NOTED  
DWG. BY: JMONDALA  
JOB No.  
REV:

**A1**



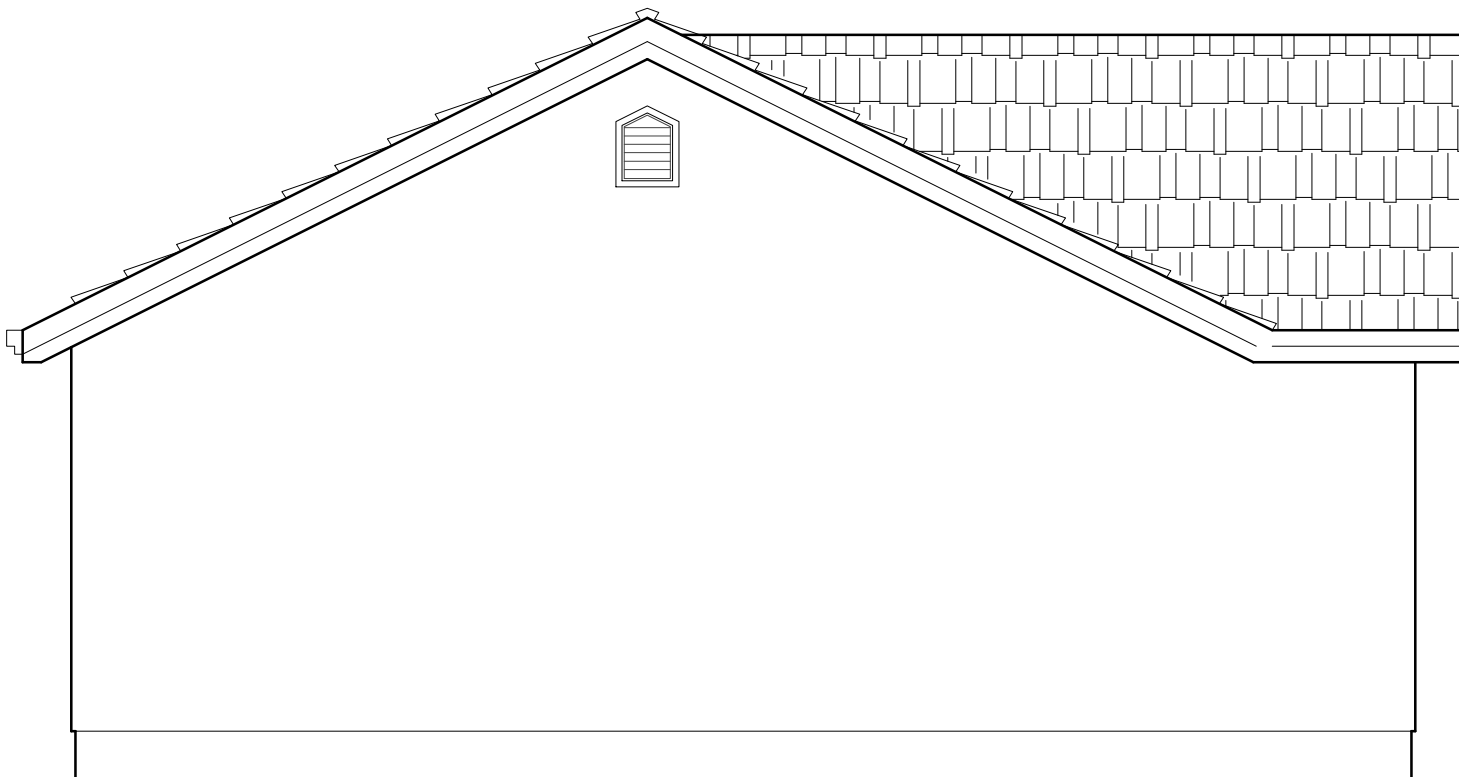
FRONT ELEVATION

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



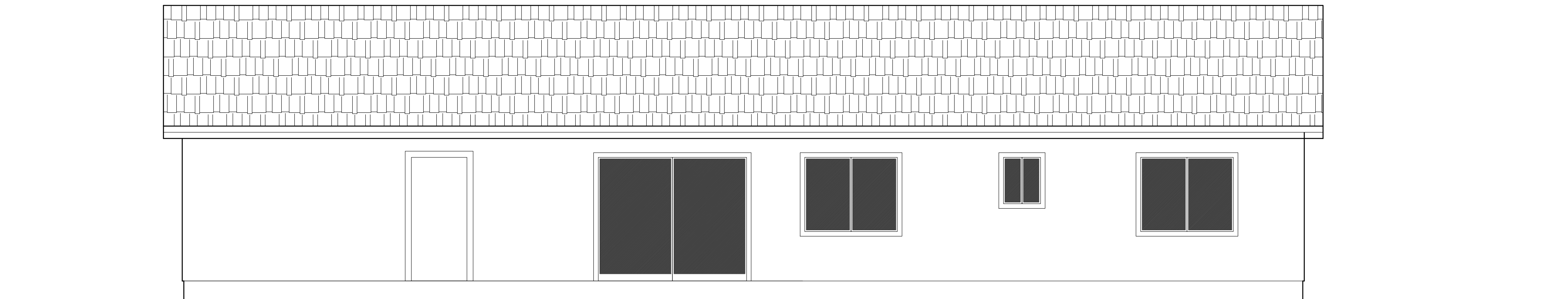
RIGHT SIDE ELEVATION

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



LEFT SIDE ELEVATION

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



REAR ELEVATION

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

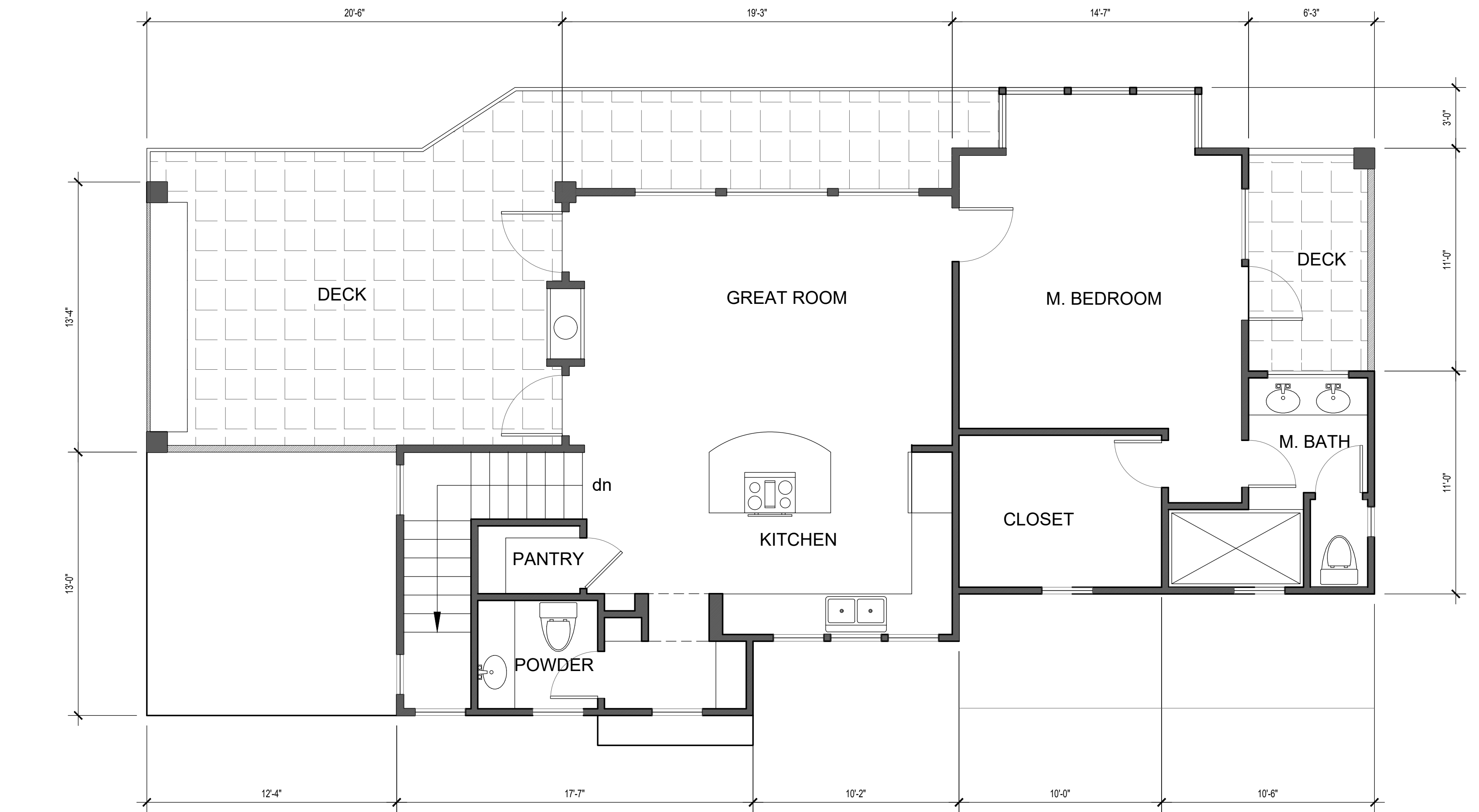
DRAWN AND PREPARED BY:  
**JIMMY MONDALA**  
3079 ZANETTA DRIVE . MARINA CA 93933  
(831) 521-7658 jimondala@yahoo.com

ARNOLD & GINA NOBIDA RESIDENCE  
1379 YOSEMITE STREET , SEASIDE CA

EXTERIOR  
ELEVATIONS

DATE: 09/09/17  
SCALE: AS NOTED  
DWG. BY: JMONDALA  
JOB No.  
REV:

A2

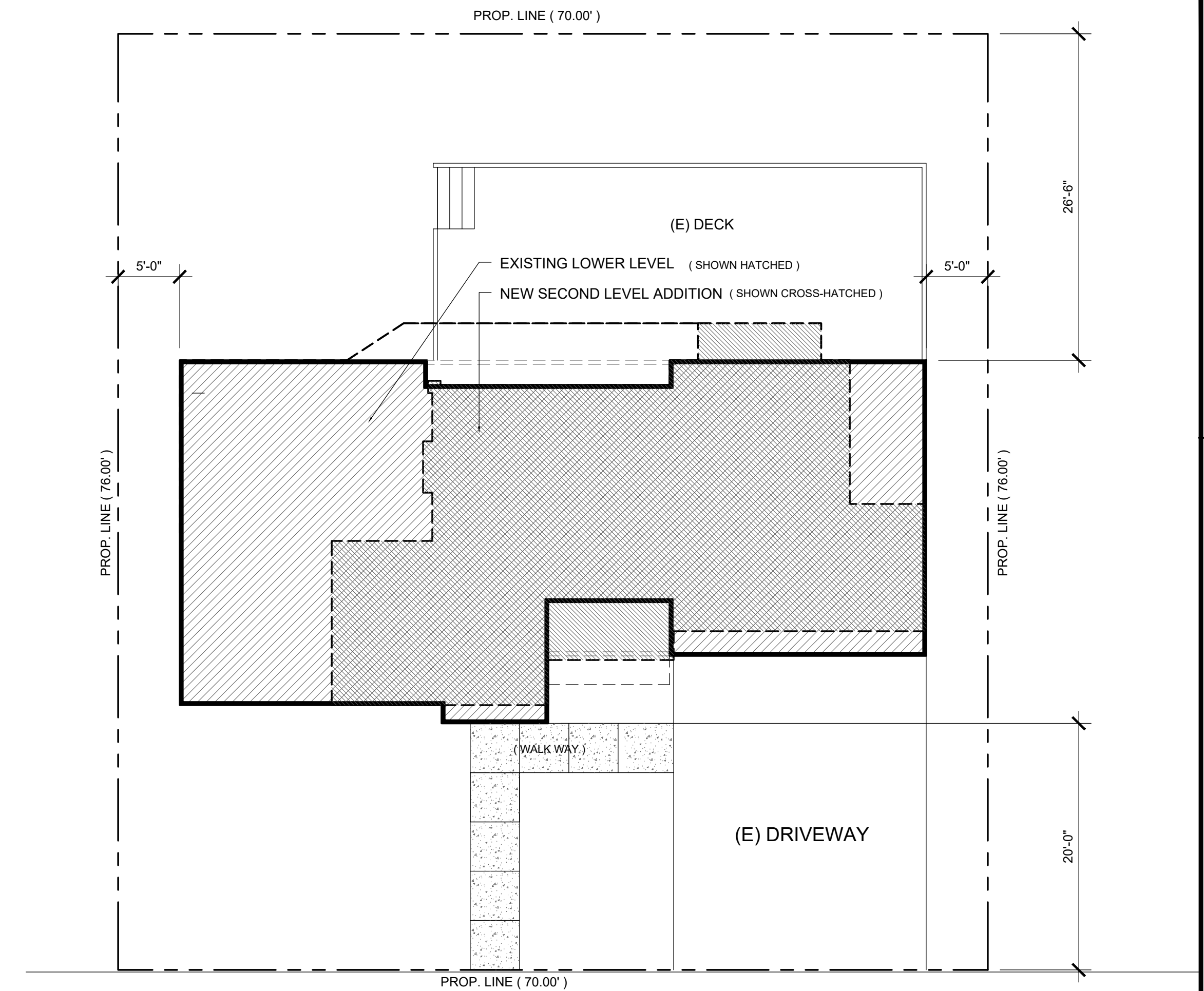


**SECOND FLOOR PLAN**  
SCALE : 1/4" = 1'-0"



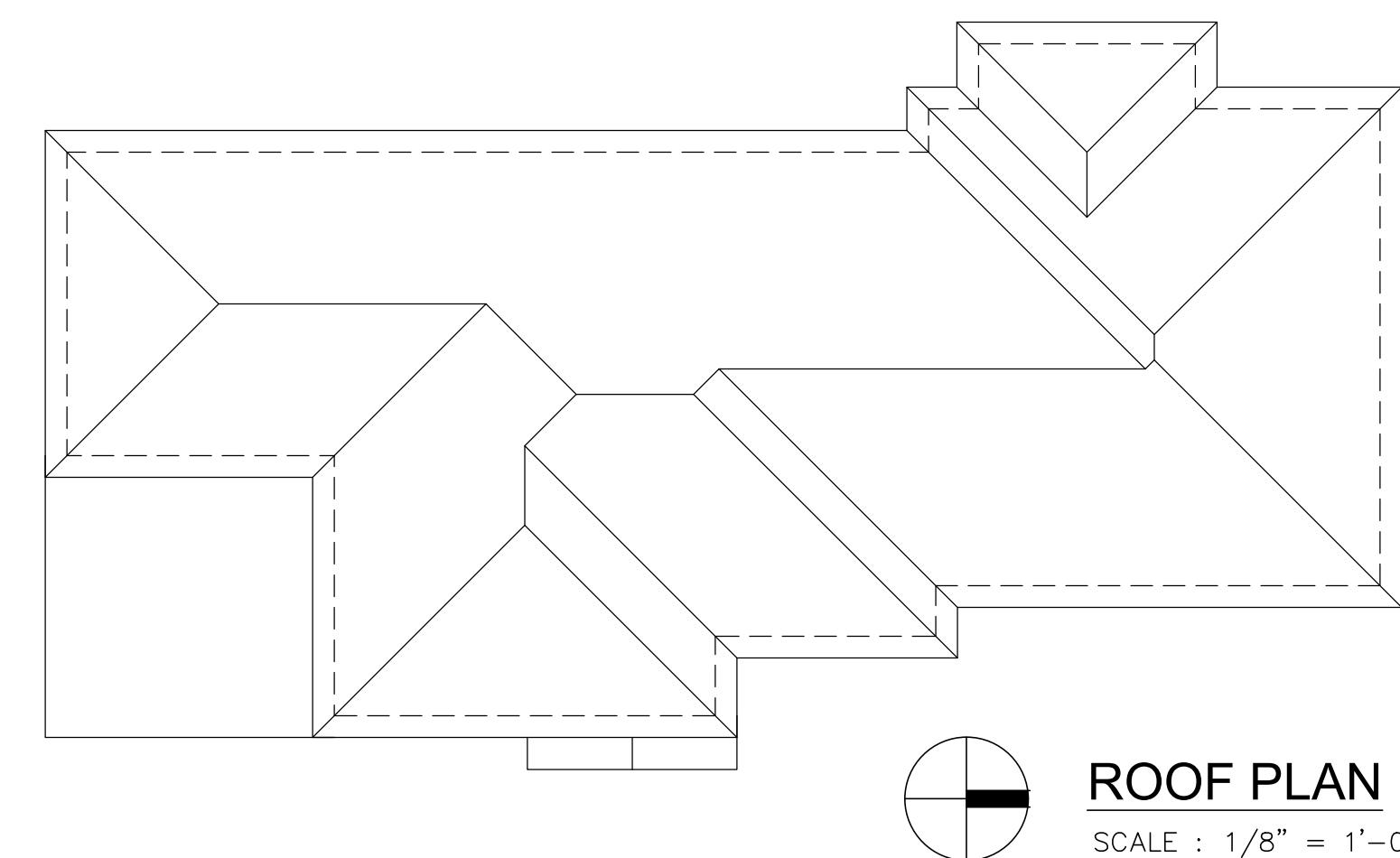
**FIRST FLOOR PLAN**  
SCALE : 1/4" = 1'-0"

**WALL LEGEND**  
— EXISTING WALL TO REMAIN  
— NEW WALL, 2X4 @ 16" O.C. U.O.N.



**YOSEMITE STREET**

**SITE PLAN**  
SCALE : 1/8" = 1'-0"



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

SCOPE OF WORK:  
SECOND LEVEL ADDITION TO EXISTING ONE STORY  
SINGLE FAMILY RESIDENCE,

| PROJECT DATA:      |                                                            | AREA TABULATION:  |                            |
|--------------------|------------------------------------------------------------|-------------------|----------------------------|
| PROPERTY LOCATION: | 1739 YOSEMITE STREET,<br>SEASIDE CA 93955                  | FLOOR AREA:       |                            |
| PROPERTY OWNER:    | ARTHUR NOBIDA<br>1655 YOSEMITE STREET<br>SEASIDE, CA 93955 | (E) LIVING SPACE: | 1,004 SQ. FT.              |
| PARCEL NUMBER:     | 012-101-065                                                | (E) GARAGE:       | 500 SQ. FT.                |
| LOT SIZE :         | 5,320 SQ. FT.                                              | (N) ADDITION:     | 922 SQ. FT.                |
| ZONING :           | R-2                                                        | TOTAL:            | 2,426 SQ. FT..             |
| CONSTRUCTION:      | TYPE V - B (U)                                             | LOT COVERAGE :    | 28.27 % ( 40% MAX ALLOWED) |

JIMMY MONDALA

ADDITION AND REMODEL TO :  
**NOBIDA RESIDENCE**  
1739 YOSEMITE STREET , SEASIDE CA

**SITE PLAN**  
**FLOOR PLAN**

DATE: 12/03/17  
SCALE:  
DWG. BY: J. MONDALA  
JOB No.  
REV:

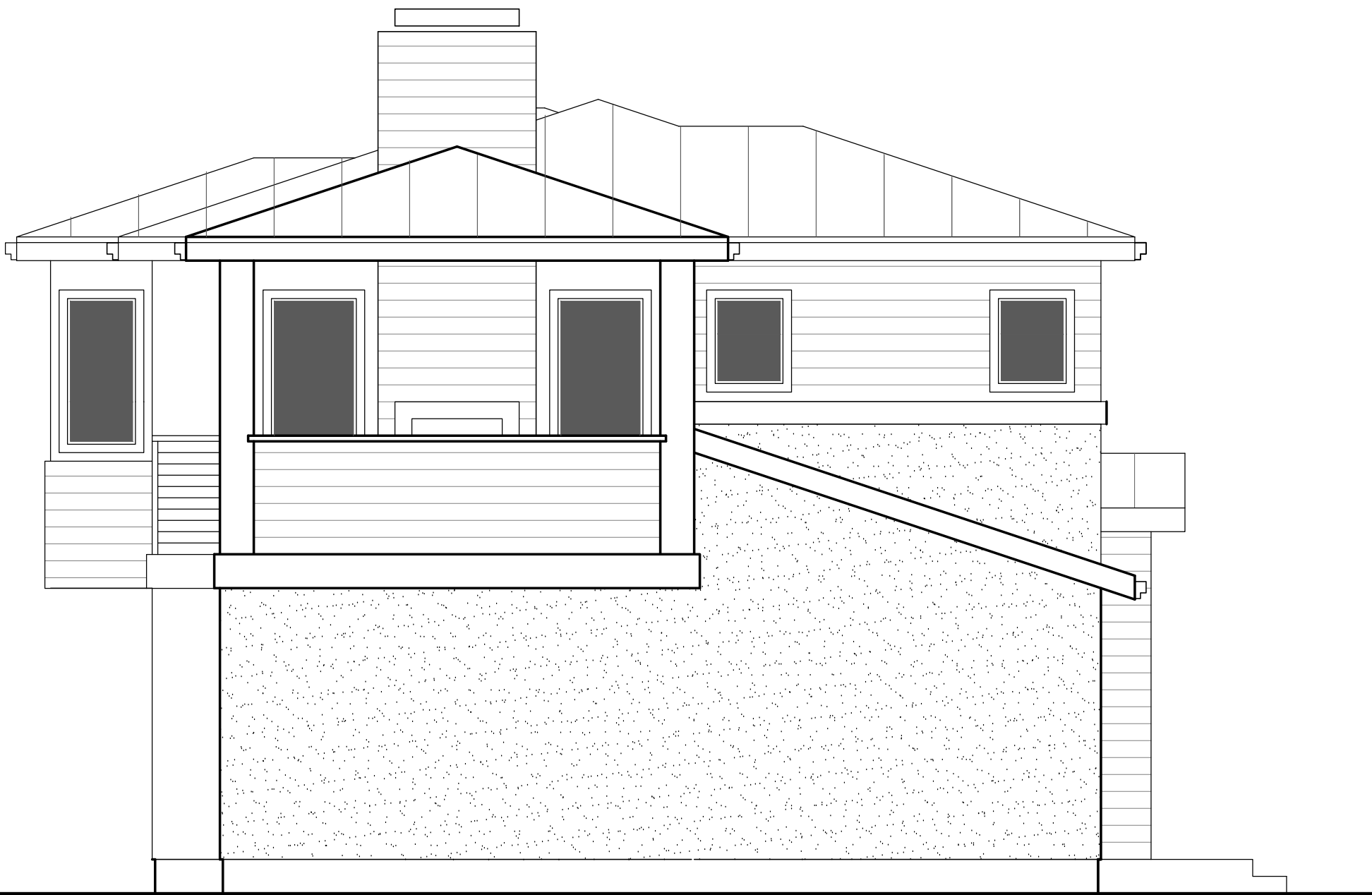
**A1**



**NORTH ELEVATION**  
SCALE : 1/4" = 1'-0"



**EAST ( FRONT) ELEVATION**  
SCALE : 1/4" = 1'-0"



**SOUTH ELEVATION**  
SCALE : 1/4" = 1'-0"



**WEST (REAR) ELEVATION**  
SCALE : 1/4" = 1'-0"

**JIMMY MONDALA**  
3079 ZANETTA DRIVE , MARINA CA 03033  
jimondala@yahoo.com (831) 521-7658

ADDITION AND REMODEL TO :  
**NOBIDA RESIDENCE**  
1739 YOSEMITE STREET , SEASIDE CA

**ELEVATIONS**

DATE: 12/03/17  
SCALE:  
DWG. BY: J. MONDALA  
JOB No.  
REV:

**A2**

# Location Map

Project Site: 1739 Yosemite St



## REVISED STAKING



## SITE PHOTOGRAPHS – REAR YARD



# NOBIDA 1739 YOSEMITE ST SEASIDE, CA

---

## COLOR BOARD-

Natural Cedar Wood finished with Cabot Wood Tone Deck & Siding Stain for:

- Front door
- Wood siding
- North and South deck railing
- Chimney



Kelly Moore KM3818-1 Ice Age:

- Stucco



Kelly Moore KM4876 Wrought Iron Gate

- Outside Fascia Trim



Charcoal Gray:

- Standing seam roof



Stainless Steel Deck Railing and Cables:

- West Balcony and Loggia



## OUTDOOR LIGHTING-

Hinckley Lighting H1648



# City of Seaside Single Family Residential Design Guidelines



JULY 6, 2005



## INTRODUCTION

---

Design guidelines serve a valuable role in the architectural review process by communicating a city's expectations through clear design statements, photographs, specific examples, and supportive graphics. In practice, design guidelines encourage improved design, create design consensus, and promote a consistent level of quality throughout the city. Design guidelines represent a minimum level of expected quality and design, and many proposals will far exceed these standards, as the range of design excellence is limitless.

## PURPOSE

---

The purpose of this document is to assist staff, the public and decision-makers through the architectural review process by clearly defining the City of Seaside's expectations for design quality, use of materials, and architectural imagery. It is the goal of these design guidelines to continually refine the concept of "good design" and to improve the design of homes, neighborhoods, and the greater community of Seaside.

# **ACCEPTANCE**

---

## **BOARD OF ARCHITECTURAL REVIEW MEMBERS**

Ken Rudisill, Chairman  
Kathleen Ventimiglia, Vice-Chair  
Cynthia Spellacy  
Mitsugu Mori  
Paul Mugan

**ACCEPTED JULY 6, 2005**

## **APPLICABILITY**

---

These design guidelines apply to all new single-family residences and to additions or exterior modifications to existing single-family residences in the City of Seaside.

## **BOARD OF ARCHITECTURAL REVIEW**

---

In cases where a formal review before the Board of Architectural Review (BAR) is required, the BAR will utilize these design guidelines in their review of the project.

## **SEASIDE GENERAL PLAN**

---

Single-Family Residential Design Guidelines are required by specific policies and implementation plans contained in the Seaside General Plan. These policies and plans are as follows:

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

**Implementation Plan LU-3.2.5** *Design Guidelines for Residential Development.* Adopt and implement Design Guidelines for residential development.

**Urban Design Policy UD-2.1:** Protect the character of single-family neighborhoods by restricting out-of-scale buildings, incompatible uses and designs, blocked views and/or access to sunlight, and excessive through traffic.

**Implementation Plan UD-2.1.1** *Design Standards in Zoning Ordinance.* Adopt design standards in the Seaside Zoning Ordinance to establish the scale of building, guidelines for quality design in new construction, building additions, and redevelopment, procedures to protect existing private views and access to sunlight as much as possible while at the same time allowing others the opportunity to enjoy the magnificent views from Seaside.

# CONTENTS

---

SITE PLANNING\_\_\_\_\_1

MASS AND SCALE\_\_\_\_\_5

ARCHITECTURAL FEATURES\_\_\_\_\_7

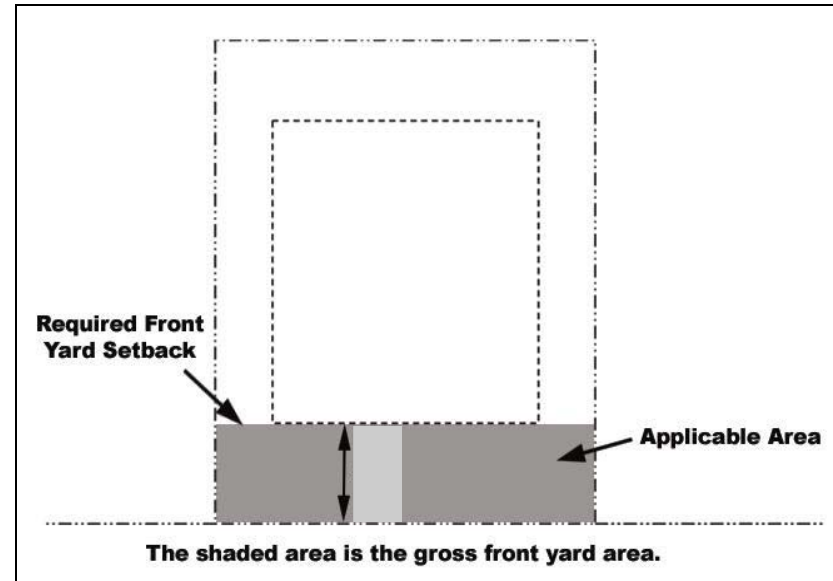
# I. SITE PLANNING

## A. Front Yard Coverage, Landscape and Hardscape

Neighborhood character can be enhanced by minimizing paved surfaces in front yards and maintaining landscaped areas. The front yard should serve as a buffer between the street and the home, providing a visual break and an improved streetscape. A neighborhood with well-maintained front yards will better preserve its value and will remain more appealing. Increased landscaping softens the appearance of a neighborhood, improves neighborhood aesthetics, provides habitat for birds, butterflies, and other wildlife, and creates a more desirable environment.

Front yard landscaping need not include turf, lawn or other water-intensive plants. Drought-tolerant and low water usage plants can be artfully installed to create an attractive appearance.

Limiting paved surfaces also provides environmental benefits by reducing water run-off, improving water percolation, facilitating on-site drainage and retention, and discouraging inappropriate vehicle parking and storage.



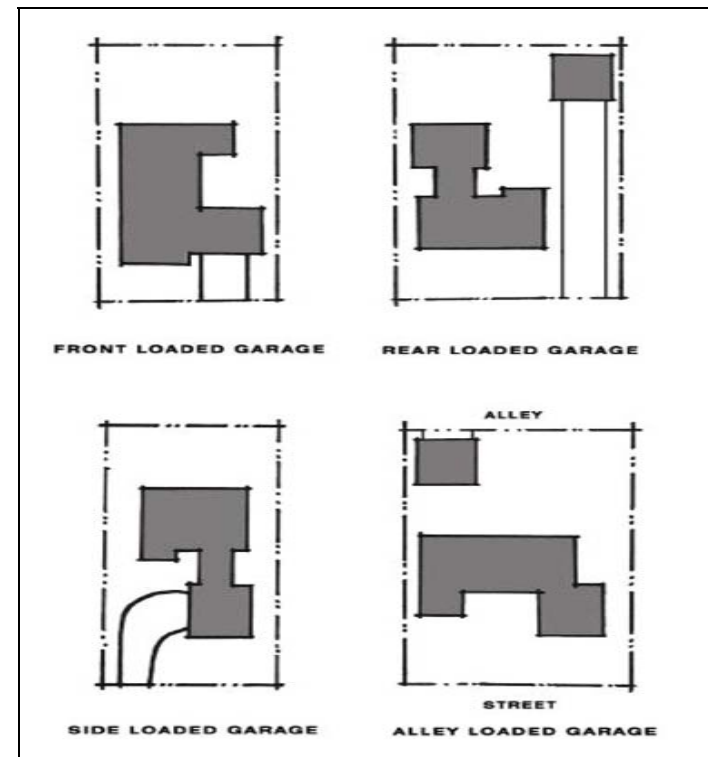
- i. Front yard lot coverage includes all paved surfaces: the driveway, parking areas, walkways, patios, and all other impervious surfaces. On lots narrower than 50 feet, the front yard lot coverage should not exceed 65% of the total front yard area. On wider lots, the front yard lot coverage should not exceed 50%.
- ii. Front yard patios should not be located closer than 5 feet from the sidewalk, adjacent properties or the house.
- iii. Entry walkways should extend to the sidewalk, rather than the driveway.

- iv. Landscaping should be used to frame, soften and embellish a home.
- v. Gravel, lava rock, and similar materials are discouraged when not used in conjunction with other landscaping.
- vi. Drought tolerant, salt and wind-resistant, and native plants should be used in landscaping. A list of drought tolerant plants recommended for Seaside is included as Appendix “A”.
- vii. Street trees should be installed in front yards to create a consistent and harmonious canopy.

## B. Garage Placement

Street frontages dominated by front-loaded garages are detrimental to the sense of a people-friendly and pedestrian-oriented neighborhood. The following guidelines are intended to reduce the impacts of garages on the character of the neighborhood.

- i. Garage design and placement should diminish the visual impact of garage doors on street frontages. Garage doors should contain windows and/or additional architectural detailing.
- ii. Detached rear garages and alley-accessed garages are encouraged.



- iii. Side-accessed garages are encouraged to diminish the visual impact of the garage along street frontages.

- iv. Covered parking should be designed to minimize its visual impact by placing access to the side or rear wherever physically possible.



*“Detached rear garages and alley-loaded garages are encouraged”*

- v. Three-car front facing garages are discouraged where the lot width is less than 55 feet. Where three-car front facing garages are permitted, at least one garage door should be recessed a minimum of 5 feet beyond another garage door and permeable materials should be used at least on the portion of the driveway providing access to the recessed garage space.

- vi. On through-lots (lots having frontage on two parallel or approximately parallel streets), garage access should be provided from the street abutting the property line to the rear of the house.

### **C. Driveways**

- i. Adequate space should be provided between two adjacent driveways to allow for landscaping. A minimum 18-inch wide planter should be provided where feasible between the side property line and the driveway.
- ii. New driveways should contain special design features to minimize their visual impact. The use of “wheel well”, “Bermuda” or “Hollywood” driveways, exposed aggregate, concrete pavers, soft materials such as turf blocks, or other special design features should be used to reduce the “hard” visual impact.
- iii. Driveways on corner lots should be located as far as possible from street intersections.
- iv. Where curb cuts are necessary, minimizing curb cut widths is encouraged. Driveway widths should be kept to a minimum to lessen the appearance of bulk and mass.

- v. No more than one curb cut per residential lot should be permitted along the same street frontage.
- vi. The use of alternative materials in place of asphalt or concrete to pave driveways is encouraged to reduce impervious surface

#### **D. Walls, Fences, and Screening**

- i. Walls and fences should be attractive and complement the style and character of the homes and the neighborhood.
- ii. Front yard fencing should be harmonious with the architectural style of the house. Solid walls over 36 inches in height are strongly discouraged in the front yard. Particular attention should be given to maintaining visibility for safety purposes on the portion of a corner lot abutting a street intersection.
- iii. Walls should be made of decorative masonry, wood, or a combination of both. Chain link or industrial fencing is strongly discouraged and should not be used in the front yard setback or on portions of a lot visible from a public right-of-way.



*"Walls and fences should be designed in such a manner as to create an attractive appearance to the street and to compliment the style and character of the homes and the neighborhood"*

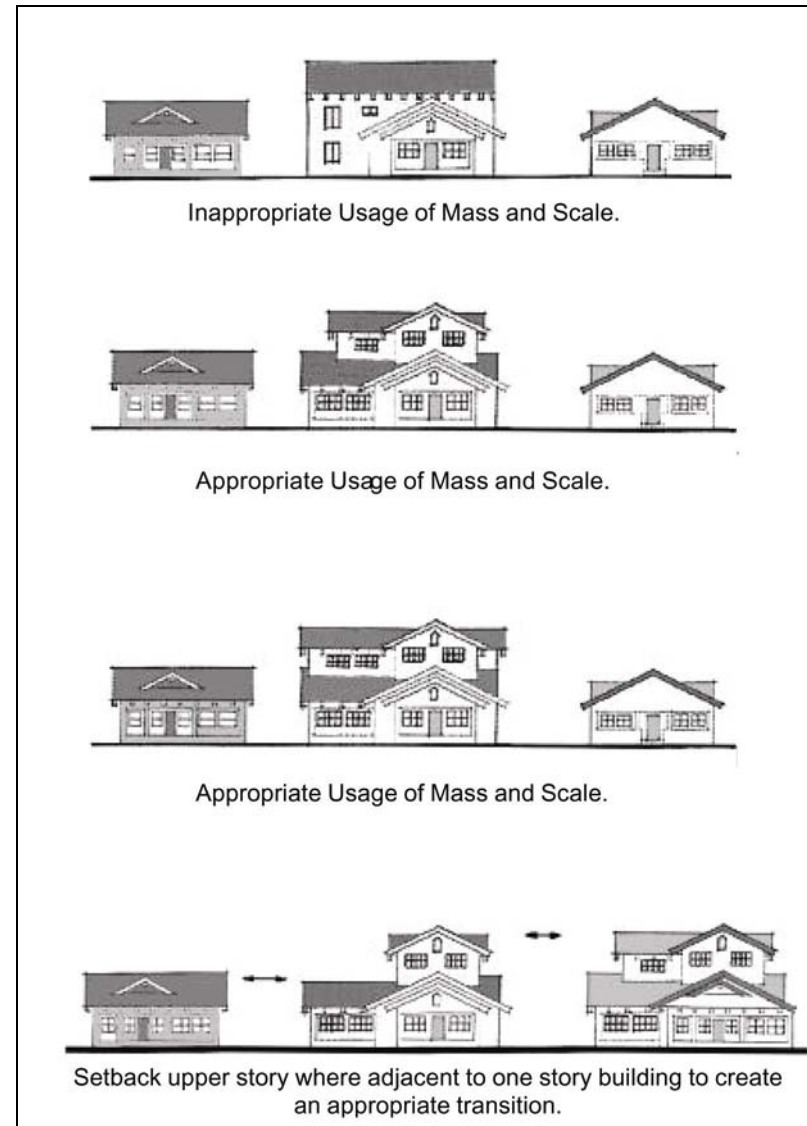
- iv. Side or rear walls that face a street or sidewalk should contain features that break up long continuous walls (greater than 50') and to soften their appearance through changes in height, setback and vegetation.
- iv. Gates should be provided in walls or fences located in the front yard setback to facilitate convenient access by residents and visitors.
- v. Garbage areas should be screened by fences, and/or walls, that are compatible with other landscape or architectural features.

## II. MASS AND SCALE

### A. General

The following guidelines will ensure that the mass and scale of new homes and additions to existing homes are compatible with the surrounding neighborhood.

- i. The physical size and mass of the project should be proportional to the lot size.
- ii. The overall design of buildings should be compatible with the scale and mass of surrounding properties.
- iii. Architectural elements should be designed to eliminate the appearance of box-like buildings.
- iv. The scale and mass of new infill buildings should be reduced by stepping down the building height toward the street and adjacent smaller structures.



## B. Building Height and Second Story Decks

- i. Entries and massing of stories should be in proportion to the building façade as a whole. High-ceiling single-story areas may be permitted within the building if the building wall of the front elevation is not excessively tall.
- ii. Second Story or Roof Decks:
  - a. Should fit the existing architectural style;
  - b. Should be oriented away from neighbors' yards as much as possible;
  - c. Should use appropriate screening measures to reduce privacy invasion (i.e. solid railing walls, latticework and landscaping).
  - d. Spas, hot tubs and similar equipment are discouraged over the first floor, on balconies or second story or roof decks if visible from adjacent properties.



*"The second story front setback should average 5 feet more than the first floor setback."*

- iii. For some architectural styles (i.e. Colonial Revival) it may not be appropriate to step back the second floor or in some cases it may not be reasonably feasible for additions to existing homes. A significant second story setback may not be necessary where the home is significantly set back from the street.

## C. Second Story Setbacks

- i. The second story front setback should average 5 feet more than the first floor setback.
- ii. The second story side setback should average 3 feet more than the first floor setback.

### **III. Architectural Features**

The following guidelines encourage high quality design to enhance the character of residential neighborhoods. It is not the intent of these guidelines to promote any particular architectural style or to preclude creative design solutions that produce quality design.

#### **A. General**

- i. There is no specific architectural style required for residential structures in Seaside. Architecture should consider compatibility, as appropriate, with surrounding homes, including building style, form, size, material, and roofline.
- ii. The design of a new home, or addition, should commit to a specific architectural “style”, rather than combine various architectural styles and elements or create non-descript structures. This “style” should be clearly communicated and reinforced consistently throughout the house and accessory structures, including detached garages, carports, etc.
- iii. The exterior siding, roof articulation, windows and doors, and overall design of new

construction should be harmonious within the proposed architectural style.

- iv. The exterior treatment and overall design of additions to existing homes should respect the features and materials of the original structure, as appropriate.
- v. To the extent feasible, the architectural character established for the street facing elevations should continue on all elevations.
- vi. Features such as windows, doors, cornice elements, etc. should create a rhythmic composition, taking into consideration compatibility of scale, style and proportion. These elements should be detailed to provide modulation, visual interest, and textured relief.
- vii. The boundary between each floor of the dwelling structure should be delineated through belt courses, cornice lines, balconies, or similar architectural detailing.
- viii. The patterns of windows and doors should reflect the scale and patterns in the neighborhood.

- ix. Building features should reinforce and enhance the architectural form and style of the house. Dormers, bay windows, porches, balconies, entrance projections, etc. add interest to the design of the home. However, features such as large bay windows should not project into side setbacks, except on the street-facing side of a corner lot.
- x. Long unarticulated exterior walls are discouraged on all structures. Massing offsets, varied textures, openings, recesses, and design accents are encouraged to enhance the walls.

**B. Front Porches and Entries**

- i. Front porches, back porches and/or decks, which permit casual observation of alleys and streets, are encouraged.
- ii. Front porches should create an attractive interface with semi-public front yard areas. Front porches should have a minimum depth of 6 feet and a minimum width of 10 feet.



*“Front porches should create an attractive interface with semi-public front yard areas.”*

- iii. The primary entry and windows should be the dominant elements of the front façade, should face the street to provide pedestrian scale and should be clearly articulated through architectural detailing.

### C. Roof Articulation

The roof design plays an important role in the sense of mass and scale of the building and in the architectural integrity of the building as a whole. The roof pitch and orientation also impact the transition between neighboring buildings.

- i. New roof designs should be compatible with the existing neighborhood character, such as type, slope, size and materials, and color.



*“The use of traditional roof forms such as gables, hips, and dormers are encouraged”*

- ii. The use of traditional roof forms such as gables, hips, and dormers are encouraged. The use of “foreign” residential roof forms, such as geodesic domes, “A” frames and flat roofs are strongly discouraged.

- iii. Roof forms should be consistent on all sides of the house and garage. All roofs should have a similar pitch except for the limited use of flat roof.
- iv. Avoid box-like appearance through variation in the roofline and building elevations.



*“Avoid box-like appearance through variation in the roofline and building elevations”*

- v. Vary roof lines through changes in height and form to break up massing. Long, single-ridge rooflines (over 30 feet long) are discouraged.
- vi. The style and form of roof additions to existing buildings should be compatible, as appropriate, with the existing roof style and form, and the style, materials, and pitch

should be taken into consideration when designing a roof addition.

#### **D. Materials**

The overall pattern, texture, and color of materials have significant effect on the scale, style and character of the building. The following guidelines should be referred to when selecting materials.

- i. Consistent and harmonious use of high quality, durable materials is encouraged. Piecemeal embellishment and frequent changes in material is discouraged.
- ii. Architectural detail should be comparable on all elevations, rather than concentrated on the front elevation.
- iii. Materials should complement the surrounding properties.
- iv. Materials should be of good quality and durable. “T-1-11” and similar sheet siding is discouraged.
- v. Environmentally-sound, or “green” building materials are encouraged and additional design consideration may be offered to accommodate solar panels, recycled materials, or other green products.
- vi. Materials should be consistent with architectural style of the building. For example, “Spanish” detail is consistent with stucco buildings with mission tile roofs.

## **DROUGHT TOLERANT PLANTS**

### ***Trees***

| <b>Botanical Name</b>        | <b>Common Name</b>  |
|------------------------------|---------------------|
| Adenostema sparsifolium      | Red Shanks          |
| Aesculus californica         | California Buckeye  |
| Agonis flexuosa              | Peppermint Tree     |
| Arbutus menziesii            | Madrone             |
| Casuarina stricta            | Beefwood            |
| Ceanothus arboreus           | Felt-leaf Ceanothus |
| Ceanothus thrysiflorus       | Blue Blossom        |
| Cedrus deodara               | Deodar Cedar        |
| Cercis occidentalis          | Western Redbud      |
| Comarostaphylis diversifolia | Mountain Mahogany   |
| Cypressus gowenia            | Gowen's Cypress     |
| Geijera parviflora           | Australian Willow   |
| Hakea laurina                | Sea Urchin          |
| Laurus nobilis               | Grecian Laurel      |
| Lithocarpus densiflora       | Tanbark Oak         |
| Olea europaea                | Olive               |
| Parkinsonia aculeata         | Jerusalem Thorn     |
| Pinus radiata                | Monterey Pine       |
| Pittosporum crassifolium     | Karo Tree           |
| Quercus agrifolia            | Coast Live Oak      |
| Robinia species              | Locust              |
| Schinus molle                | California Pepper   |
| Umbellularia californica     | California Bay      |

### ***Small Shrubs***

| <b>Botanical Name</b> | <b>Common Name</b>   |
|-----------------------|----------------------|
| Artemesia californica | California Sagebrush |
| Calocephalus brownii  | Cushion Bush         |
| Castilleja latifolia  | Monterey Paintbrush  |

|                              |                             |
|------------------------------|-----------------------------|
| Ceratostigmata willmottianum | Chinese Plumbago            |
| Cistus villosus 'prostratus' | Sageleaf Rockrose           |
| Correa alba                  | Australian Fuchsia          |
| Eriophyllum confertiflorum   | Golden Yarrow               |
| Eriophyllum staechadifolium  | Lizard Tail                 |
| Eryops hybrid                | Yellow Bush Daisy           |
| Gautheria shallon            | Salal                       |
| Juniperus conferta           | Shore Juniper               |
| Kniphofia uvaria             | Red Hot Poker               |
| Leonotis leonurus            | Lion's Tale                 |
| Myrtus specia                | Myrtle                      |
| Ribes viburniflorum          | Catalina Currant            |
| Rosmarinus officinalis       | Rosemary                    |
| Salvia species               | Sage                        |
| Santolina Chamaecyparissus   | Lavender Cotton             |
| Sollya heterophylla          | Australian Bluebell Creeper |
| Symphoricarpos alba          | Snowberry                   |
| Teucrium fruticans           | Bush Germander              |
| Trichostema lanatum          | Woolly Blue Curly           |
| Westringia rosmariniformis   | Westringia                  |
| Zauschneria californica      | Red California Fuchsia      |

### ***Large Shrubs***

| <b>Botanical Name</b>          | <b>Common Name</b> |
|--------------------------------|--------------------|
| Acacia species                 | Acacia             |
| Adenostema fasciculatum        | Chamise            |
| Arctostaphylos densiflora      | Vinehill Manzanita |
| Atriplex lentiformis 'breweri' | Brewer Saltbrush   |
| Berberis darwinii              | Darwin Barberry    |
| Carissa grandiflora            | Natal Plum         |
| Catha edulis                   | Khat               |
| Ceanothus 'Frosty Blue'        |                    |

## **APPENDIX "A"**

|                              |                           |
|------------------------------|---------------------------|
| Ceanothus impressus          | Santa Barbara Ceanothus   |
| Ceanothus thrysiflorus       | Blue Blossom              |
| Cercis occidentalis          | Western Redbud            |
| Cistus purpureus             | Orchid Spot Rockrose      |
| Comarostaphylis diversifolia | Mountain Mahogany         |
| Cottoneaster lacteus         | Red Clusterberry          |
| Dendromecon harfordii        | Island Bush Poppy         |
| Dendromecon rigida           | Bush Poppy                |
| Dodonaea viscosa             | Hopseed Bush              |
| Echium fastuosum             | Pride of Madeira          |
| Eleagnus pungens             | Silverberry               |
| Fremontodendron californica  | Flannel Bush              |
| Hakea suaveolens             | Sweet Hakea               |
| Heteromeles arbutifolia      | Toyon                     |
| Lavatera assurgentifolia     | Tree Mallow               |
| Leptospermum laevigatum      | Australian Tea Tree       |
| Leptospermum scoparium       | New Zealand Tea Tree      |
| Lupinus arboreus             | Yellow Bush Lupine        |
| Lupinus chamissonis          | Purple Bush Lupine        |
| Myrsine africana             | African Boxwood           |
| Nandina domestica            | Heavenly Bamboo           |
| Nerium oleander              | Oleander                  |
| Ochna serrulata              | Bird's Eye Bush           |
| Phormium tenax               | New Zealand Flax          |
| Pittosporum tenuifolium      | Pittosporum               |
| Prunus illicifolia           | Holly-Leaf Cherry         |
| Prunus lyonii                | Catalina Cherry           |
| Psidium littorale            | Lemon or Strawberry Guava |
| Rhamnus alaternus            | Italian Buckthorn         |
| Rhamnus californica          | Coffeeberry               |

| <i>Large Shrubs (continued)</i> |                       |
|---------------------------------|-----------------------|
| Botanical Name                  | Common Name           |
| Rhus integrifolia               | Lemonade Berry        |
| Rhus ovata                      | Sugar Bush            |
| Rosa rugosa                     | Ramanas Rose          |
| Vaccinium ovatum                | Evergreen Huckleberry |
| Xylosma congestum               | Xylosma               |

### ***Groundcovers***

| Botanical Name             | Common Name          |
|----------------------------|----------------------|
| Abronia latifolia          | Yellow Sand Verbena  |
| Abronia umbellatum         | Pink Sand Verbena    |
| Arctostaphylos edmundsii   | Little Sur Manzanita |
| Arctostaphylos pumila      | Dune Manzanita       |
| Arctotheca calledula       | Capeweed             |
| Arctotis hybrids           | African Daisy        |
| Armeria maritima           | Sea Pink/Thrift      |
| Artemesia pycnocephala     | Sandhill Sage        |
| Asparagus sprengeri        | Sprenger Asparagus   |
| Atriplex semibaccata       | Australian Saltbrush |
| Baccharis pilularis        | Dwarf Coyote Brush   |
| Camissonia cheiranthifolia | Beach Primrose       |
| Ceanothus giseus           | Ceanothus            |
| Convolvus mauritanicus     | Ground Morning Glory |
| Erysimum ammodendrum       | Coast Wall Flower    |
| Fragaria chiloensis        | Beach Strawberry     |
| Gazania species            | Gazania              |
| Helianthemum nummularium   | Sunrose              |
| Latana montevidensis       | Lantana              |
| Lotus scoparius            | Deerweed             |
| Mahonia repens             | Creeping Mahonia     |

|                                     |                          |
|-------------------------------------|--------------------------|
| Oenothera berlandieri               | Mexican Evening Primrose |
| Osteospermum fruticosum             | Highway Daisy            |
| Ribes viburnifolium                 | Red Flowering Currant    |
| Rosmarinus officinalis 'prostratus' | Creeping Rosemary        |

### ***Perennials***

| Botanical Name           | Common Name        |
|--------------------------|--------------------|
| Achillea species         | Yarrow             |
| Aeonium species          | Canary Island Rose |
| Aloe species             | Aloe               |
| Artemesia pycnocephala   | Sandhill Sage      |
| Centaurea cineraria      | Dusty Miller       |
| Centranthus ruber        | Red Valerian       |
| Cerastium tomentosum     | Snow-in-Summer     |
| Coreopsis species        | Coreopsis          |
| Dudleya caespitosa       | Bluff Lettuce      |
| Eschscholzia californica | California Poppy   |
| Gaillardia grandiflora   | Blanket Flower     |
| Limonium perezii         | Sea Lavender       |
| Perovskia 'Blue Spire'   | Russian Sage       |
| Phormium tenax           | New Zealand Flax   |
| Romneya coulteri         | Matilija Poppy     |
| Salvia species           | Sage               |
| Sisyrinchium bellum      | Blue-eyed Grass    |
| Trichostema lanatum      | Woolly Blue Curls  |

### ***Bulbs***

| Botanical Name          | Common Name |
|-------------------------|-------------|
| Amarillis belladonna    | Naked Lily  |
| Crocasmia crocosmiflora | Montbretia  |
| Hemerocallis            | Daylily     |

## **APPENDIX “A”**

|                         |                    |
|-------------------------|--------------------|
| Ipheion uniflorum       | Spring Starflower  |
| Iris douglasiana        | Pacific Coast Iris |
| Narcissus               | Daffodil           |
| Tulipa clusina          | Lady Tulip         |
| Zantedeschia aethiopica | Calla Lily         |

### ***Vines***

| Botanical Name         | Common Name       |
|------------------------|-------------------|
| Bougainvillea          | Bougainvillea     |
| Campsis radicans       | Trumpet Creeper   |
| Cissus antarctica      | Kangaroo Treebine |
| Ipomoea acuminata      | Blue Dawn Flower  |
| Muehlenbeckia complexa | Matress Vine      |
| Polygonum aberti       | Silver Lace Vine  |
| Rosa 'Cecile Brunner'  | Sweetheart Rose   |
| Rosa banksiae          | Lady Bank's Rose  |
| Solandra maxima        | Cup of Gold Vine  |
| Tecomaria capensis     | Cape Honeysuckle  |
| Wisteria species       | Wisteria          |

### ***Ornamental Grasses***

| Botanical Name             | Common Name           |
|----------------------------|-----------------------|
| Deschampsia caespitosa     | Tufted Hairgrass      |
| Deschampsia holciformis    | Pacific Hairgrass     |
| Elymus arenarius 'Glaucus' | Blue Lyme Grass       |
| Festuca californica        | California Fescue     |
| Muhlenbergia dumosa        | Bamboo Muhly          |
| Muhlenbergia rigens        | Deer Grass            |
| Pennisetum species         | Fountain Grass        |
| Stipa gigantea             | Giant Feather Grass   |
| Stipa pulchra              | Purple Needle Grass   |
| Stipa tenuissima           | Mexican Feather Grass |

Modifications made for 1739 Yosemite St Seaside, CA per recommendations of the BAR:

- 1) Lowered ridge line of roof from 23'5" to 22'6"
- 2) Created flat sections of roof
- 3) Plate height Lowered from 9' to 8'
- 4) Downsized roof width 2' on north and 2' on south side for a total of 4'
- 5) Provided set back of north/east side of 2' over garage
- 6) Shortened height of master bedroom bay window and now frameless
- 7) Front door added hip to match house roof
- 8) Plant 5 Queen Palm trees across backyard property line for neighbors' privacy

Changes:

- 9) Downsized deck off master bedroom and all wood siding for railing
- 10) Downsized master bedroom and master bathroom shower
- 11) Added window in bathroom facing west
- 12) Added bbq area on south side of deck
- 13) Wood siding for south side of deck
- 14) Changed to vinyl casement windows
- 15) Added wood siding to west side center and larger window at bar

# Appeal to the Planning Commission of the City of Seaside

## \*\*\*Fees per current adopted fee schedule\*\*\*

An application to appeal a Board of Architectural Review or Zoning Administrator action to the Seaside Planning Commission is to be filed with the Planning Division within seven days of the Board of Architectural Review or Zoning Administrator action. If you have any questions regarding the action, planner counter hours are from 8 a.m. – 10:00 am and 3:00 p.m. – 5:00 p.m. in the Planning Division.

In addition to the appeal fee, a set(s) of pre-addressed stamped envelopes to be sent (no return address) to all persons within 300 feet of the subject property must be submitted to the Planning Division ten (10) days from the date of appeal.

In accordance with the provisions of the Municipal Code of the City of Seaside, State of California, I hereby appeal the action of the Board of Architectural Review or Zoning Administrator on April 10, 2018 regarding BAR 17-15 -- Arthur NOBIDA, owner/applicant  
(Date) (Application Number)

Location of Project: 1739 Yosemite Street, Seaside, CA 93955

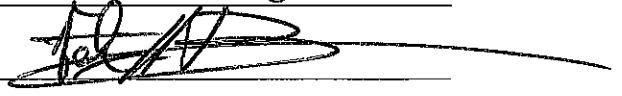
Action Being Appealed: BAR approval of proposed remodel and expansion of 1739 Yosemite Street

Reason for Appeal: Approval violates various provisions of the General Plan. Approval ignores significant elements of the Seaside's SFR design guidelines. BAR did not adequately consider impacts. BAR did not perform site visit nor visit homes of impacted stakeholders as requested / offered during 1st public meeting.

Name of Appellant: Susan Hawthorne Felix Bachofner

Residing at: 1752 St. Helena Street 1189 Wanda Avenue

Phone Number(s): 831-394-7848 / SueJHawthorne@gmail.com 831-393-1921 / felix@bachofner.com

Signed:  

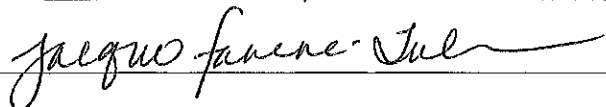
Signed this 10th day of April 2018

Administrative Use Only

RECEIVED BY  
CITY OF SEASIDE

Date Appeal Filed: 4/10/18 APR 10 2018

Receipt Number: 00241739 COMMUNITY DEVELOPMENT

Received by: 

4/5/2018