



AGENDA
CITY OF SEASIDE
PLANNING COMMISSION

REGULAR MEETING
Council Chamber
440 Harcourt Avenue
Wednesday, May 22, 2019
7:00 PM

1. CALL TO ORDER

2. ROLL CALL - ESTABLISHMENT OF QUORUM

3. PLANNING COMMISSION

John Owens	Chair
Michael Spalletta	Vice Chair
Keith Dodson	Commissioner
Denise Ross	Commissioner
Arlington La Mica	Commissioner
Dave Evans	Commissioner
Vacant	Commissioner

4. REVIEW OF AGENDA

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

5. PUBLIC COMMENT

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

6. APPROVAL OF MINUTES

A. May 8, 2018

7. BUSINESS ITEMS

- A. COASTAL DEVELOPMENT PERMIT 19-02 (USE PERMIT APPLICATION NO. UP-19-07): E&E CAPLOW LIVING TRUST, PROPERTY OWNER, AND ROBERT FORLOINE (PM DESIGN GROUP), AND SILVIA WYTKIND (MCDONALD'S), APPLICANTS, ARE REQUESTING A USE PERMIT FOR THE REESTABLISHMENT OF A DRIVE-THRU RESTAURANT IN THE LAGUNA GRAND SHOPPING CENTER AT 1516 CANYON DEL REY BOULEVARD IN THE COASTAL REGIONAL COMMERCIAL (CCRG) ZONING DISTRICT (APN'S 011-561-024 AND 011-561-025). THE PROJECT IS CATEGORICALLY EXEMPT CLASS 2, SECTION 15302 (B) FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

RECOMMENDATION:

- B. USE PERMIT APPLICATION NO. 19-10: CLAY AND LISA MATHEWS, PROPERTY OWNER, AND THOMAS RETTENWENDER, APPLICANT, ARE REQUESTING USE PERMIT APPROVAL FOR AN EXTERIOR STAIRWAY LEADING TO A 478 SQUARE FOOT ROOF DECK ABOVE A NEW TWO-CAR GARAGE ATTACHED TO A ONE-STORY SINGLE FAMILY DWELLING LOCATED AT 1565 ORD GROVE AVENUE IN THE RS-8 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT (APN# 011-043-014). THE PROJECT IS CATEGORICALLY EXEMPT CLASS 1, SECTION 15301(E)(1) FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

RECOMMENDATION: In accordance with Section 17.12.050 of the Seaside Municipal Code (Table 2-3 Residential Zone Development Standards), Note 6, exterior stairways that would lead to a roof deck within Residential Zone are permitted with the issuance of a use permit.

- C. USE PERMIT APPLICATION NO. UP-19-11: ISLAMIC SOCIETY OF MONTEREY, PROPERTY OWNER, AND AGHA BILAL, APPLICANT, ARE REQUESTING APPROVAL OF A 168 SQUARE FOOT GAZEBO THAT WILL BE SITED WITHIN THE FRONT YARD OF AN EXISTING RELIGIOUS MEETING PLACE LOCATED AT 405 ELM AVENUE IN THE MEDIUM DENSITY (RM) RESIDENTIAL ZONING DISTRICT (APN # 011-305-016). THE PROJECT IS CATEGORICALLY EXEMPT CLASS 3 SECTION 15303(E) FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

RECOMMENDATION: In accordance with Section 17.12.030.C - Table 2-1 (Specific Use Regulations), an addition and/or modification to a meeting place facility located within a Medium Density Residential zoning district is subject to the review and approval of the use permit.

8. REPORTS FROM COMMISSIONERS

9. REPORTS FROM STAFF

10. ADJOURNMENT

Next Regularly Scheduled Meeting:

June 12, 2019
Seaside City Hall
7:00 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, 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. Live streamed meeting videos as well as videos of past meetings are available on the City's website at: <http://www.ci.seaside.ca.us/129/City-Council-Committee-Agendas>

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



CITY OF SEASIDE STAFF REPORT

Item No.: 7.A.

TO: Planning Commission

BY: Beth Rocha, Associate Planner

DATE: May 22, 2019

SUBJECT: **COASTAL DEVELOPMENT PERMIT 19-02 (USE PERMIT APPLICATION NO. UP-19-07): E&E CAPLOW LIVING TRUST, PROPERTY OWNER, AND ROBERT FORLOINE (PM DESIGN GROUP), AND SILVIA WYTKIND (MCDONALD'S), APPLICANTS, ARE REQUESTING A USE PERMIT FOR THE REESTABLISHMENT OF A DRIVE-THRU RESTAURANT IN THE LAGUNA GRAND SHOPPING CENTER AT 1516 CANYON DEL REY BOULEVARD IN THE COASTAL REGIONAL COMMERCIAL (CCRG) ZONING DISTRICT (APN'S 011-561-024 AND 011-561-025). THE PROJECT IS CATEGORICALLY EXEMPT CLASS 2, SECTION 15302 (B) FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

PURPOSE & RECOMMENDATION

The purpose of this item is for the Planning Commission to receive the presentation on the proposed restaurant reconstruction, including the re-establishment of a drive-through, and take action to adopt Coastal Development Permit 19-02 (Use Permit 19-07) in accordance with the Draft Resolution and Project Plans.

BACKGROUND

On June 5, 2018 a vehicle crashed into the McDonald's restaurant located at 1516 Canyon Del Rey Boulevard, striking gas and electrical lines and igniting a fire that completely destroyed the restaurant. The McDonald's had been in operation at this location for more than three decades and included a drive-thru, a use that is only permitted for establishments in existence as of December 4, 2006 in the Coastal Regional Commercial Zone (CCRG). Therefore, the drive-thru of the McDonald's is classified as a legal non-conforming use and is regulated by Seaside Municipal Code (SMC), Chapter 17.72: Nonconforming Uses, Structures, and Parcels.

On June 29, 2018 the City received and issued a demolition permit for the removal of the structure from the site. On December 3, 2018 E&E Caplow, LLC (Applicant) filed a Minor Use Permit for an extension of the 180 day reestablishment period for the nonconforming drive-thru use. On January 14, 2019 the Zoning Administrator approved Minor Use Permit Application (MUP 18-12) for an extension of a nonconforming, involuntarily destroyed drive-thru use of the McDonald's restaurant. The MUP specified June 5, 2019 as the date by which the reestablishment of the drive-thru shall commence through the filing of a Use Permit application, as required for fast-food restaurants in the CCRG zone. The applicant submitted Use Permit application 19-05 for the drive-thru restaurant on March 21, 2019, well ahead of the deadline set forth in the MUP.

On April 24, 2019 the Planning Commission considered the proposed McDonald's project but did not approve it due to the following concerns centered around pedestrian safety and on-site vehicular circulation:

1. Provide a diagram showing the on-site traffic flow: vehicles entering from Canyon Del Rey, vehicles exiting parking spaces, and vehicles exiting the drive-through.
2. Provide specifications/details/elevations for the physical barriers/traffic calming elements/signs that will notify vehicles in the drive-through of pedestrians in the ADA path of travel that will be installed to prevent drive-through vehicles from exiting/accessing certain portions of the site, and increase pedestrian safety while entering/exiting the restaurant to/from the parking lot.
3. Explore making the driveway "Exit-Only" to reduce the number of vehicles navigating the site and posing potential issues to pedestrians and vehicles exiting the drive-through.

ENVIRONMENTAL REVIEW

The project is Categorically Exempt Class 2, Section 15302 (b) from the California Environmental Quality Act: "Replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity."

PROJECT DESCRIPTION

The project site is approximately 29,342 sq. ft. (.67ac) comprised of APNs: 011-561-024 and 011-561-025 (20,434sqft and 8,908sqft, respectively) and is located at 1516 Canyon Del Rey Boulevard in the Laguna Grande Shopping Center.

Land uses within the vicinity of the project site include: a Starbucks on the southeast of the site, a Staples to the north east and the common area shopping center parking lot to the northwest. Biking, hiking, and walking trails are located to the east and south of

the project site. The biking and hiking trails are connected to Robert's Lake and the Monterey Bay Coastal Bike Trail located along Del Monte Boulevard. Nearby beaches located across State Route 1 (SR-1) to the west are within walking distance of the project site.

The project site is visible from Cabrillo Highway (SR-1) and is located within 0.5 mi of the on and off ramps at Canyon Del Rey Boulevard (State Route 218). Additional regional access to the project site is provided by the Monterey-Salinas Highway, State Route 68 . These highways connect the project site to the cities of the Monterey Peninsula, Salinas, San Jose, and the San Francisco Bay area.

COASTAL DEVELOPMENT PERMIT

Approximately half of the eastern portion of the project site is within the California Coastal Zone Boundary. The majority of the proposed project's restaurant building, surface parking, landscaping, and the drive-through service area are proposed for the portion of the project site that is within the Coastal Zone. The City of Seaside's Local Coastal Program Land Use Plan designates the project site as Coastal Regional Commercial Zone (CCRG). The City Zoning Code that is applicable to areas within the Coastal Zone – Title 18 Coastal Implementation Plan designates the project site as Coastal Regional Commercial Zone (CCRG).

Development within the Coastal Zone may not commence until a Coastal Development Permit (CDP) has been issued by either the California Coastal Commission (Coastal Commission) or by a local government that has a certified Local Coastal Program (LCP). In June 2013, the City of Seaside's LCP was certified by the Coastal Commission; therefore, the proposed project is applying for a CDP from the City of Seaside Planning Commission.

LCP CONSISTENCY

A portion of the previous (and current) project is within the Coastal Zone. Because a majority of the proposed project's restaurant building, surface parking, and landscaping, and the drive-through service area are proposed for the portion of the project site that is within the Coastal Zone, for planning purposes, it was assumed that the entire project site was in the Coastal Zone.

As noted above, the Coastal Commission certified the City's LCP in June 2013. An LCP consists of two major parts: the LUP and the CIP. Whereas the LUP designates the kinds, location, and intensity of land and water uses and presents applicable resource protection and development policies, the CIP provides development regulations for specific Coastal Zone activities needed to carry out the LUP. The CIP is referred to as Title 18, Zoning Ordinance for the City of Seaside (Applicable to Areas Within the

Coastal Zone), and applies to all development within the Coastal Zone.

According to Title 18, Drive-through restaurants would be considered a conditionally permitted use within the zoning designation Coastal Regional Commercial Zone (CCRG). as identified in Figure 1a (Coastal Zoning Map) in the City's CIP;

Allowable building heights within 100 feet of Laguna Grande Lake would be increased to a maximum height of 20 feet, with allowances for architectural features up to a maximum height of 30 feet; and

Buffers and setbacks would be a minimum of 50 feet from wetland/riparian areas.

The McDonald's Drive-Through Restaurant Project is consistent with the City's certified LCP and would not require any zoning code amendments.

PROJECT COMPONENTS

The proposed restaurant would replace the 5,370sqft, two-story restaurant with a 1-story, 5,241sqft restaurant. The 29,342sqft site area are proposed building resulting in a floor area ratio (FAR) of 0.17 that is within the maximum permitted FAR of 1.0 for the CCRG zone. The proposed drive-through restaurant and associated facilities will include indoor dining with 93 seats, an indoor PlayPlace, a double drive-through and three drive-through windows. The project will include landscaping, preservation of one Cypress tree, and 15 parking spaces including two Americans with Disabilities Act (ADA) accessible spaces. The entire shopping center site has an excess of parking spaces and providing fewer parking spaces within the boundaries of McDonald's site is acceptable due to the shared parking arrangement.

ARCHITECTURAL DESIGN, LIGHTING, AND LANDSCAPING

The Board of Architectural Review (BAR) would be responsible for reviewing and approving the proposed project's final architectural design, lighting, landscaping, and sign plans.

ACCESS AND CIRCULATION

The main access to the project site would be from the main shopping center signalized entrance accessed from Canyon Del Rey Boulevard; this driveway is located approximately 200' west of the proposed Exit-Only driveway of the McDonald's site. The proposed driveway is shifted west from the existing curb cut and would be designated as right-out only. The drive-through service area, which is located on the west side of the building, would provide two lanes of queuing for ordering, which then

merge into one lane for food pick-up. Approximately 341 linear feet would be available for queuing of vehicles in the drive-through lane and additional vehicle storage would be available on site in the adjacent parking lot and drive aisles. Proposed vehicle queuing in the drive-through lane would accommodate 13 vehicles from the entry sign, in the west-southwest corner of the proposed project site to the drive-through pick-up window on the east-southeast side of the proposed project site.

UTILITIES AND WATER

All necessary utility services (e.g., wastewater, water, and storm water) are located on the project site; the proposed project would not require the development of new service utility lines. Water connections (fire and domestic) would be made at the existing main in the on-site public utility easement fronting Canyon Del Rey Boulevard.

In compliance with the Monterey Regional Storm water Management Program, including the Post-Construction Requirements, post construction, storm water runoff will be retained and infiltrated on-site for storm events up to the 95th percentile rainfall event. The storm water control plan will capture storm water runoff from the on-site impervious surfaces (i.e. roof and parking lots), remove pollutants from runoff, and retain and infiltrate the runoff. The Project will also ensure that post development runoff not exceed predevelopment runoff.

The Monterey Peninsula Water Management District must issue a water permit for any development or redevelopment activity that would involve the connection or modification of a connection to an existing water distribution system, such as the proposed project. The project site has an existing water credit from the previous restaurant building to provide the necessary water allocation for the new development. Water for the proposed project would be supplied by California American Water Company (CAL-AM).

DISCRETIONARY ACTIONS

Discretionary actions required to be taken by the City as part of the proposed project include:

1. Review and approval of a Coastal Development Permit by the City Planning Commission.
2. Review and approval of the proposed project site plans and elevations, lighting, and landscape plans by the City's Board of Architectural Review.

Previously required discretionary actions that are no longer necessary include:

On January 14, 2019 the Zoning Administrator approved a Minor Use Permit Application (MUP 18-12) for an extension of a nonconforming drive-thru.

STAFF ANALYSIS AND FINDINGS

The proposed drive-through facility complies with SMC 17.52.090 Drive-Through Facilities, General Standards as the drive-through facility is located on a building wall not fronting Canyon Del Rey Boulevard. Additionally, the design with the stacking area beginning at the rear of the site, furthest from Canyon Del Rey Boulevard would avoid congestion, excessive pavement, litter, and noise. The design also complies with the on-site circulation elements of: Aisle Design, with each drive aisle being at least 10 feet wide with minimum interior radii of 10 feet; the Stacking Area is clearly identified with signage and physically separated with landscaping from other on-site traffic circulation, accommodating 13 vehicles. The signage would show each entrance to, and exit from, the drive-through aisle and would be clearly marked to show the direction of traffic flow with signs, pavement markings, and raised curbs; signage would also be provided to indicate whether the drive-through facility is open or closed. Lastly, the accessible path leading from the ADA parking spaces to one of the front entrances does not intersect the drive-through aisle.

The proposed site access for pedestrians complies with SMC 17.38.050 Pedestrian Connections with one required continuous and direct pedestrian path that would be provided between the sidewalk between the site and Canyon Del Rey Boulevard on the east side of the site, where the existing driveway is proposed to be removed and would become part of the pedestrian path and landscaping. A continuous pedestrian path located in a landscaped area would be provided from the ADA parking area to the primary entrance of the building, creating a buffer between the vehicles in the drive-through and pedestrians. At one point in the ADA path, there is a break where the pedestrians need to cross the drive-through exit point, but not the drive-through aisle. "Yield to Pedestrian" signs will be installed on both sides of the drive aisle to notify motorists of the presence of pedestrians. Additionally, the path will be raised above the grade of the drive aisle, which will further the slow-down of traffic for pedestrians. Once the path crosses the aisle, it continues in a landscaped area that has a guardrail on the drive aisle side, adding further protection for the pedestrians entering the site from both the ADA path of travel and the parking spaces on the site.

The proposed location and design of the solid waste and recyclable materials storage complies with the applicable regulations of SMC 17.30.110: Table 3-7 Nonresidential Structures – Minimum Storage area. A total of 48 sq. ft. of solid waste area is required and approximately 2.5 times the required area is provided. In compliance with both the Location and Design and Construction regulations, waste will be stored in a designated enclosed structure that will be designed to be architecturally compatible with the proposed restaurant design and buffered from the surrounding parking on both sides with landscaping areas.

CONCLUSION

It is recommended that the Planning Commission receive the presentation on the proposed project and take action to adopt the Coastal Development Permit (Use Permit 19-07) in accordance with the Draft Resolution (Attachment 1) and Project Plans (Attachment 1 – Exhibit A).

ATTACHMENTS

1. Attachment 1 - Resolution
 2. Attachment 1 - Exhibit A
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**PLANNING COMMISSION
RESOLUTION NO. 19-XX**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE, STATE OF CALIFORNIA, APPROVING COASTAL DEVELOPMENT PERMIT 19-02 (USE PERMIT APPLICATION NO. UP-19-07) TO ALLOW FOR THE CONSTRUCTION OF A 5,241 SQUARE-FOOT RESTAURANT WITH ASSOCIATED SITE IMPROVEMENTS (DRIVEWAY ACCESS, PARKING LOT, DRIVE-THRU WINDOW/AISLE, LANDSCAPING) AT 1516 CANYON DEL REY BOULEVARD IN THE COASTAL VISITOR SERVING COMMERCIAL (CVSC) ZONING DISTRICT.

WHEREAS, McDonald's, applicant, has applied for a Coastal Development Permit 19-02 (Use Permit 19-07):

1. In accordance with Title 18 (Coastal Implementation Plan) of the Seaside Municipal Code (SMC), the applicant is requesting the approval of a Coastal Development Permit and Use Permit for the construction of a new one story, 5,241 square foot McDonald's restaurant with associated site improvements (driveway access, parking lot, drive-thru window/aisle, landscaping) on a 29,342 square foot lot at 1516 Canyon Del Rey Boulevard (APN: 011-561-024 and 011-561-025).

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 the Seaside Local Coastal Program, and

WHEREAS, the Seaside Planning Commission considered oral comments and written information concerning the proposed amendment at a duly noticed public hearing held on May 22, 2019, and

WHEREAS, in accordance with the Guidelines for Implementation of the California Environmental Quality Act (CEQA). The project is Categorically Exempt Class 2, Section 15302 (b) from the California Environmental Quality Act: "Replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity."

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission adopts the following findings for Coastal Development Application No. CDP-19-02 (Use Permit Application UP-19-07):

1. **The establishment, maintenance, or operation of the use or structure applied for will not under the circumstances of the particular case, be detrimental to health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvement in the neighborhood, or to the general welfare of the City.**

Evidence: The proposed development would be subject to the regulations and policies set forth in the Seaside General Plan and the Local Coastal Program and would result in an improved site that would enhance the character of the community and surrounding Laguna Grande Shopping Center, Robert's Lake and Park environs.

Evidence: Prior to the issuance of a building permit, a drainage and erosion control plan will be reviewed and approved by the City of Seaside Public Works Department. The erosion and drainage plan will include, but not be limited to, control of surface runoff, protection of exposed soils, drainage diversion features, or other methods approved by the Resource Management Services Department. Drainage shall be retained on-site and discharged in a manner away from improvements and adjoining properties in accordance with the requirements of the City's National Pollutant Discharge Elimination System Permit (NPDES).

Evidence: The primary access to the project site would be from the main shopping center driveway signalized entrance accessed off Canyon Del Rey Boulevard, which is approximately 200' west of the proposed exit-only driveway. The proposed driveway is slightly shifted west from the existing curb cut and would be right-out only. The drive-through service area, which is located on the west side of the building, would provide two lanes of queuing for ordering, which then merge into one lane for food pick-up. Approximately 341 linear feet would be available for queuing of vehicles in the drive-through lane and additional vehicle storage would be available on site in the adjacent parking lot and drive aisles. Proposed vehicle queuing in the drive-through lane would accommodate 13 vehicles from the entry sign, in the west-southwest corner of the proposed project site to the drive-through pick-up window on the east-southeast side of the proposed project site.

Evidence: All necessary utility services (e.g., wastewater, water, and storm water) are located adjacent to the project site; the project would not require the development of new service utility lines. The sanitary sewer line would connect to an existing lift station 30 ft. northwest of the northwesterly corner of the site. Water connections (fire and domestic) would be made at the existing main in the on-site public utility easement fronting Del Monte.

Storm water runoff from new impervious surfaces would be treated by means of vegetated swales and catch basins with filter inserts before being discharged into the municipal storm drain system on Del Monte Boulevard, which discharges into Laguna Grande Lake. The City requires that post development runoff not exceed predevelopment runoff.

The Monterey Peninsula Water Management District must issue a water permit for any development or redevelopment activity that would involve the connection or modification of a connection to an existing water meter.

Evidence: The drive-through aisle for the restaurant will provide for a queue of 13 vehicles to ensure that vehicle traffic/circulation on site will not impact nearby roadways.

Additionally, the drive-through lane pick-up window and the freestanding drive-through menu board sign will be placed on the west side of the site so that these improvements would be oriented away from the former railroad right-of-way to the east that will be used for coastal access in the future.

- 2. The subject property is in compliance with all rules and regulations pertaining to zoning, uses, and other applicable provisions of Title 18: Coastal Zoning of the Seaside Municipal Code, and any zoning violations have been resolved, including any abatement costs have been paid.**

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 surrounding neighborhood by the Seaside General Plan and Local Coastal Program.

Evidence: The subject property consists of an existing 29,342 square foot lot. There are no land uses on the subject property which would lead to the establishment of any zoning violations.

- 3. The proposed project conforms to the public access and recreation policies of the Coastal Act.**

Evidence: The project site would not impede existing access to the Coastal resources areas which are currently provided via the existing sidewalk on Canyon Del Rey Boulevard.

- 4. The proposed development use is in conformance with plans, policies, and requirements of the certified Local Coastal Program Land Use Plan and complies with all regulations of the Certified Implementation Program.**

- a. The proposed development protects vegetation, natural habitats, and natural resources consistent with the LUP.*

Evidence:

- A. Substantial changes in the project and project circumstances resulting in new significant effects or a substantial increase in the severity of previously identified significant effects have not occurred;*
- B. New information of substantial importance with respect to this environmental resource/impact resulting in new significant effects or a substantial increase in the severity of previously identified effects has not been identified; and*
- C. None of the proposed project changes would significantly affect this environmental resource.*

- D. *An existing Monterey Cypress will be preserved and protected. Three olive trees being removed will be replaced with three 24-inch box trees of a variety and location approved by the Board of Architectural Review.*
- b. *The design, location, size, and operating characteristics of the proposed development is consistent with any applicable design plans and/or area plans incorporated into the LUP.*

Evidence: The proposed use is consistent with the City's General Plan Policy LU-1.3: The proposed project will enhance the identity of the City with the reconstruction of a restaurant and associated site improvements (driveway access, parking lot, drive-thru window/aisle, landscaping).

Evidence: The proposed use is consistent with the City's General Plan Policy LU-2.4: The redevelopment of the project site will include the use of quality architectural materials consistent with the development standards outlined in the Coastal Implementation Plan and Section 17.62.030. E of Title 17 of the Seaside Municipal Code.

Evidence: The proposed use is consistent with the City's General Plan Policy LU-4.1: The location of the commercial structure, parking lot, access driveways, landscaping, lighting and signs for the development will not result in any detrimental impact to the health, safety, and general welfare of the community.

Evidence: The proposed use is consistent with the City's General Plan Policy ED-8.1: The proposed project will continue to provide jobs to the local community to improve the jobs/housing ratio.

Evidence: The proposed use is consistent with the City's General Plan Policy C-4.3: The proposed project will include a well-landscaped border on all frontages to screen the parking areas and access drives from the adjoining public streets and neighboring residential dwelling units to the east and south.

- c. *The proposed development maintains public access to and along the coast as set forth in the LUP.*

Evidence: The proposed project site improvements (e.g. building, parking lot design, parking spaces, public access points through the site to Laguna Grande Lake and Park, public access pathways and bike trails and lighting) will be sited and constructed in accordance with the adopted development standards of the Coastal Implementation Plan for the City's certified Local Coastal Plan.

- d. *The proposed development is consistent with the LUP of providing visitor serving needs as appropriate.*

Evidence: The proposed project will consist of a visitor serving commercial land use that would be placed at an entry point of the City serving both the local community and regional visitors. The project will be designed to provide a quality serving restaurant. The proposed design will incorporate improvements to provide for coastal access from Canyon Del Rey Boulevard.

- e. *The proposed development is consistent with LUP goal of encouraging coastal dependent and related uses as appropriate.*

Evidence: The project is zoned as Coastal Visitor Serving Commercial. The project site would be redeveloped with a coastal visitor serving drive-through restaurant to serve the local and regional community. The site will also provide food services for coastal visitors accessing the Seaside State Beach to the west, the Monterey Bay Coastal Bike Trail, and Robert's Lake and Park.

- f. *The proposed development protects and where feasible enhances coastal resources.*

Evidence: The granting of a Coastal Development Permit will not create significant noise, limitations on public access to the coastal zone, traffic, visual interference, 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.

Evidence: The proposed project will provide for enhanced connectivity to Robert's Lake and Park and the Monterey Bay Coastal Bike Trail. The enhanced coastal access will serve to provide a synergy between the adjacent open space and the new commercial development that will benefit the community and region as whole.

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

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

- 6. 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 project site design and conditions will ensure that the proposed development will not create any adverse impact on the health, safety, and general welfare of the community and adjoining neighbors.*

BE IT FURTHER RESOLVED, that the Planning Commission approves Coastal Development Permit Application No. CDP-19-02 and UP-19-07 subject to the following conditions:

Project Specific

Planning:

1. Prior to the issuance of a Grading Permit, the architectural design, outdoor lighting, landscaping, and signage improvements shall be reviewed and approved by the Board of Architectural Review.
2. Except as modified by required conditions of approval, plans submitted for Architectural Review approval shall substantially conform to the plans identified as "4597-WW Playplace BB20" noted as "03/20/19 ISSUED FOR USE PERMIT REVIEW" and as approved by the Planning Commission on May 22, 2019. The project plans are provided as Attachment 1 - Exhibit A
3. The existing Cypress tree must be preserved and properly protected with fencing installed at the dripline, or maximum extent feasible, during construction.
4. The three existing mature olive trees proposed for removal shall be replaced on a 1-to-1 basis, transplanted from a minimum 24-inch box size container.
5. All trees shall be adequately supported when planted. The supports shall be maintained until the trees are capable of withstanding the force of wind on their own and removed before damage could potentially occur to the tree trunk.
6. The property owner shall maintain all landscaping in a healthful and thriving condition at all times and in perpetuity, free of weeds, debris, and deceased plants.
7. Irrigation systems and their components shall be maintained in a fully functional manner consistent with the originally approved design.
8. Regular maintenance shall include checking, adjusting, and repairing irrigation equipment; resetting automatic controllers; aerating and dethatching lawn areas; adding/replenishing mulch, fertilizer, and soil amendments; and mowing, pruning, trimming, and watering all landscaped areas.
9. Watering shall be scheduled at times of minimal wind conflict and evaporation loss.
10. Water waste in existing developments resulting from inefficient landscape irrigation leading to excessive runoff, low head drainage, overspray, and other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways, or structures is prohibited.

11. Trees located within the traffic visibility areas along Canyon Del Rey Boulevard must be trimmed so the bottom of the canopy is maintained a minimum of six feet in height measured from finished grade.
12. Failure to maintain landscape areas in compliance with the Conditions shall be deemed a public nuisance, and shall be subject to abatement in compliance with the Municipal Code, and/or the applicable planning permit may be revoked in compliance with Chapter 17.69 (Enforcement and Penalties).
13. Prior to final inspection or occupancy approval, all required landscaping shall pass an inspection to be performed by the Planning Division.
14. Permanently installed lighting shall not blink, flash, or be of unusually high intensity or brightness. Lighting components must be replaced within two weeks of initial malfunction.
15. The clear glass storefront windows shall not later be treated or so as to become opaque, or to be blocked so as to prevent visibility of the ground floor interior from the sidewalk.
16. Prior to the issuance of a grading or building permit, the applicant shall complete Transportation Agency of Monterey County Trip Generation Worksheet and provide payment for the estimated trips that would be generated for the project.
17. Applicant shall provide the City of Seaside with an amended Grant Deed for the Laguna Grande Shopping Center for reconfiguration of the site.

Public Works:

18. Site plan shall clearly show and denote the following:
 - a. Property lines
 - b. All easements
 - c. Adjacent improvements.
19. Proposed project must implement storm water best management practices (BMPs) during construction.(SMC 8.46)
 - a. Complete and submit the Storm water Compliance Tracking Form, with signature with building permit application.
 - b. A project specific Erosion and Sediment Control Plan (ESCP) is required of the applicant as part of building permit application.
 - c. If the disturbed area is greater than one (1) acre, a Storm water Pollution Prevention Plan (SWPPP) shall be prepared and a WDID obtained by the applicant from the State Water Quality Control Board. Submit the SWPPP for City of Seaside review.
20. Post-development peak storm water runoff rates shall not exceed predevelopment rate.
A pro rata share of the cost of offsite erosion sediment, and flood control improvements

and/or for maintenance to the principal drainage way may be required by the city engineer to handle the increase peak runoff and/or sediment generated by the project.(SMC 15.32.170)

- a. Provide hydrology and hydraulic calculations to substantiate retention of storm water runoff for the entire redevelopment for the 24 hour-95% storm event.
 - b. As part of building permit application, develop civil grading and drainage plans to clearly show direction of storm water drainage from new or redeveloped impervious surfaces.
 - c. Drainage shall not be directed to adjacent properties.
21. As required by Attachment 1 to Resolution No. R3-2013-0032 of the Central Coast Regional Water Quality Control Board, the applicant shall develop a Storm water Control Plan demonstrating compliance with performance requirements #1, #2, #3, and #4 as applicable.(SMC 8.46.130)
 - a. Applicant shall submit a Storm Water Control Plan prior to finalizing site plan or civil grading and drainage plans. Storm Water Control Plan shall be approved by the City prior to finalizing project civil grading and drainage plans and shall include hydrology and hydraulic calculations validating the design of conveyance, treatment and/or infiltration features.
 1. Provide a soils engineering report describing the soil type and soil hydrologic soil group substantiating design of structural storm water control measures described within the Storm Water Control Plan.
 2. Infiltration testing shall be per the Riverside County-Low Impact Development BMP Design Handbook.
 - b. Applicant shall submit architectural and civil grading and drainage plans with building permit application in substantial conformance to the approved Storm Water Control Plan.
 1. Plans shall clearly denote, in table format, the pre-project impervious surface area, new impervious surface area created, replaced impervious surface area, and post-project impervious surface area.
 - c. Prior to issuance of occupancy, applicant shall execute and record as a deed restriction a Right of Entry and Maintenance Agreement. The Right of Entry and Maintenance Agreement shall:
 1. Include indemnity, insurance and security requirements in conformance with the template provided by the City; and
 2. Include an operation and maintenance (O&M) plan approved by the City stating that the property owner will conduct, and accepts responsibility for, maintenance of all storm water control measures (SCMs); and
 3. Include a legal description of the property; and
 4. Describe the methods and procedures for conducting periodic inspections and maintenances of all SCMs; and

5. Require applicant to provide to the City each year during a period beginning on September 1 and ending no later than September 30 a statement certified by a licensed Civil Engineer or Qualified Storm water Developer (QSD) registered in the State of California stating that the SCM maintenance is in accordance with the O&M plan; and
 6. Include a statement that transfers responsibility for maintenance of SCMs to future owners of the property.
22. The driveway shall be exit-only and wide enough to accommodate one vehicle. Vehicles shall enter from the signalized intersection into the shopping center.
- a. As part of building permit application, plans shall incorporate angled exit on to Canyon Del Rey Boulevard.
 - b. Project shall provide ADA compliant path of travel across driveway approach fronting Canyon Del Rey Boulevard (SR 218).
 - c. Applicant must coordinate with California Department of Transportation (Caltrans) and complete a Caltrans Standard Encroachment Permit Application for proposed construction of a new exit only driveway onto Canyon Del Rey Blvd.
23. Project shall provide a properly sized fats oils and grease interceptor sized in accordance with the Uniform Plumbing Code. Provide documentation to substantiate grease interceptor size with building permit application.
24. Prior to final inspection, any curb, gutter and sidewalk damaged during construction shall be replaced by a licensed concrete contractor in conformance with the most current applicable engineering standards, and upon the prior issuance of an Encroachment Permit from the Public Work Department.

Fire Department:

25. The proposed project shall be constructed in accordance with the requirements of the 2016 California Fire Code.

Building Department:

26. The proposed project shall be constructed in accordance with the requirements of the 2016 California Building Code.
27. Soils report must be submitted with structural plans.
28. In the event the project site is inundated by sea level rise or impacted by a geologic event which causes the structure to be demolished/ removed in the future, the applicant must comply with any mandate provided by the Seaside Building Official for obtaining the necessary building permits for the demolition and disposal of construction material/debris and/or any hazardous building materials in accordance with local and state regulations.

Standard:

29. 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.
30. This Coastal Development Permit is subject to procedures and requirements of Section 3.8 for the implementation of the project improvements, and those related to appeals and revocation in Section 3.12 of Title 18.10 of the Seaside Municipal.
31. 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.
32. Any proposed future development shall comply with the requirements of the Fire, Health, Planning, Code Enforcement, Building and Public Works Departments.
33. The project shall comply with the requirements and the applicable ordinances of the Monterey Peninsula Water Management District (MPWMD).
34. 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.
35. 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.
36. This shall expire and become void 24 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 Planning Commission has granted an extension of time. In accordance with Section 3.8 of the CIP, the applicant must file request for time extension prior to expiration date of the Coastal Development Permit in order to receive consideration of a one-year time extension by the Commission.

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

PASSED AND ADOPTED at the special meeting of the Planning Commission of the City of Seaside, State of California, on the 22nd of May 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

John Owens, Chairperson

ATTEST:

Planning Commission Secretary

COASTAL DEVELOPMENT PERMIT APPLICATION NO. CDP-19-01 and UP-19-07

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

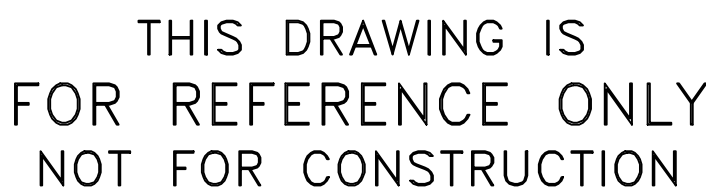
The undersigned hereby acknowledge the approved terms and conditions and agree to fully conform to, and comply with, said terms and conditions within the time frames approved by the City of Seaside Planning Commission.

Applicant's Signature

Date

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

Date



ABBREVIATIONS:

AC - ASPHALT CONCRETE
BFP - BACKFLOW PREVENTOR
CB - CATCH BASIN
C.I. - CURB INLET
CL - CENTER LINE
CLF - CHAIN LINK FENCE
CONC - CONCRETE
D.I. - DROP INLET
DWY - DRIVEWAY
E - ELECTRIC LINE
EB - ELECTRIC BOX
EM - ELECTRIC METER
EV - ELECTRIC VAULT
F - FACE OF CURB
FDC - FIRE DEPT. CONNECTION
FH - FIRE HYDRANT
FL - FLOWLINE
G - GAS LINE
GM - GAS METER
GP - GUARD POST
GV - GAS VALVE
HCR - HANDICAP RAMP
IRR - IRRIGATION
J - JOINT POLE
JT - JOINT TRENCH
MW - MONITORING WELL
OH - OVERHEAD UTILITY
PI - POST INDICATOR VALVE
PG&E - PACIFIC GAS & ELECTRIC
PL - PROPERTY LINE
PLNTR - PLANTER
PP - POWER POLE
PUE - PUBLIC UTILITY EASEMENT
R/W - RIGHT OF WAY
SD - STORM DRAIN LINE

SL - STREET LIGHT
SMT - SURFACE MOUNTED TRANSFORMER
SS - SANITARY SEWER LINE
SSCO - SANITARY SEWER CLEANOUT
SW - SIDEWALK
TEL - TELEPHONE LINE
TEL - TELEPHONE BOX
TC - TOP OF CURB
TP - TELEPHONE POLE
TSB - TRAFFIC SIGNAL
TSB - TRAFFIC SIGNAL CONTROL BOX
UG - UNDERGROUND UTILITY
VG - VALLEY GUTTER
W - WATER MAIN
WM - WATER METER
WV - WATER VALVE
YL - YARD LIGHT

SYMBOLS:

MONUMENT (AS NOTED)
FD. PROPERTY CORNER (AS NOTED)
CHAIN LINK FENCE
FIRE HYDRANT
STORM DRAIN MANHOLE
MANHOLE
SANITARY SEWER MANHOLE
TELEPHONE MANHOLE
TREE
YARD LIGHT

UTILITY NOTE

THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITIES, PIPES AND/OR STRUCTURES SHOWN ON THIS SURVEY WERE OBTAINED BY A SEARCH OF AVAILABLE RECORDS. THE CONTRACTOR SHALL ASCERTAIN THE TRUE LOCATION OF ANY UNDERGROUND UTILITIES AND SHALL BE RESPONSIBLE FOR ANY AND ALL DAMAGE TO ANY AND ALL PUBLIC OR PRIVATE UTILITIES, SHOWN OR NOT SHOWN HEREON.

BASIS OF BEARINGS:

THE BASIS OF BEARING OF THIS SURVEY IS THE NORTHWESTERLY LINE OF PARCELS E-1 AND E-2 AS SHOWN ON 12 C&T 60, THE BEARING OF WHICH IS S53°34'18"W.

BENCHMARK:

CITY BENCHMARK #20: UPPER EDGE OF BRONZE DISC ABOVE DROP INLET IN THE NORTHEASTERLY RETURN OF DEL MONTE AVENUE AND ELM STREET
ELEVATION = 21.237 (CITY DATUM)

NOTES:

- THE SITE IS ZONED CRG (REGIONAL COMMERCIAL)
- SETBACKS PER ZONING:
FRONT: 0' (POSSIBLE SETBACK DUE TO PROXIMITY TO A COASTAL ZONE)
SIDE: 30' TOTAL BETWEEN PARCELS, 18' ON ONE SIDE AND 12' ON THE OTHER
REAR: 0' (POSSIBLE SETBACK DUE TO PROXIMITY TO A COASTAL ZONE)
- FLOOD ZONE IS DESIGNATED 'X' PER COMMUNITY PANEL NUMBER 06053C0326G, DATED 6/21/2017.
- PARCEL 4 IS PARCEL C OF TRACT 739 AND IS THE PARCEL HOME DEPOT IS SITTING ON IN THE SHOPPING CENTER. IT IS A NON-EXCLUSIVE EASEMENT OVER THE COMMON AREAS FOR PARKING AND VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS. IT IS NOT PLOTTED AS THE CORNER OF THIS PARCEL IS APPROX. 300' FROM THE McDONALD'S PARCEL AND WOULD ONLY BE USED AS ACCESS TO THE NORTHEAST AND ROBERTS AVE, ULTIMATELY LEADING TO DEL MONTE BLVD. VIA OLYMPIA BLVD. (SEE VICINITY MAP)

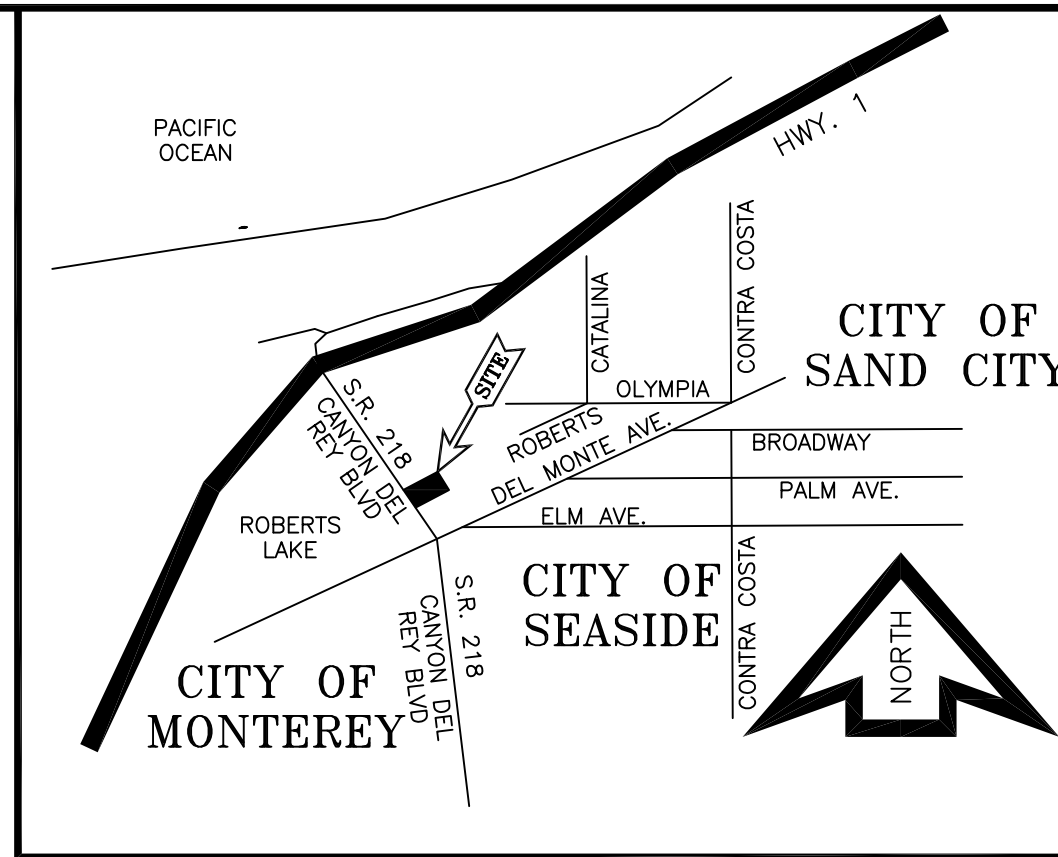
UTILITY REFERENCES:

STORM DRAIN - CITY OF SEASIDE
440 HARCOURT AVENUE
SEASIDE, CA 93955
(831) 899-6885

SEWER - CITY OF SEASIDE
440 HARCOURT AVENUE
SEASIDE, CA 93955
(831) 899-6885

WATER - CAL-AM WATER COMPANY
9670 BLUE LARKSPUR LANE
MONTEREY, CA 94303
(831) 646-3253

ELECTRICAL - & NATURAL GAS - PACIFIC GAS AND ELECTRIC
2311 GARDEN ROAD
MONTEREY, CA
(831) 648-3231



VICINITY MAP N.T.S.

LEGAL DESCRIPTION:

REAL PROPERTY IN THE CITY OF SEASIDE, COUNTY OF MONTEREY, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL 1:

PARCELS "E-1" AND "E-2", AS SAID PARCELS ARE SHOWN ON THAT CERTAIN MAP ENTITLED "TRACT NO. 739, OFFICIAL MAP OF LAGUNA GRANDE REDEVELOPMENT PROJECT", FILED AUGUST 1, 1974 IN VOLUME 12 OF CITIES AND TOWNS AT PAGE 60, RECORDS OF MONTEREY COUNTY, CALIFORNIA, SAID MAP IS HERINAFTER REFERRED TO AS THE "TRACT 739 MAP", SAID PARCELS BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF SAID PARCEL E-1, THENCE ALONG THE SOUTHEASTERLY LINES OF SAID PARCEL E-1 AND SAID PARCEL E-2, NORTH 53° 33' 20" EAST 171.63 FEET TO THE MOST EASTERLY CORNER OF SAID PARCEL E-2; THENCE ALONG THE NORTHEASTERLY LINE OF SAID PARCEL E-2, NORTH 36° 25' 42" WEST 118.13 FEET TO THE MOST NORTHERLY CORNER OF SAID PARCEL E-2; THENCE ALONG THE NORTHWESTERLY LINES OF SAID PARCEL E-2 AND SAID PARCEL E-1 SOUTH 53° 34' 18" WEST 174.25 FEET TO THE MOST WESTERLY CORNER OF SAID PARCEL E-2, SAID POINT LYING ON A 7,450 FOOT RADIUS NON-TANGENT CURVE, HAVING A RADIAL BEARING AT SAID POINT OF SOUTH 52° 45' 22" WEST; THENCE, SOUTHEASTERLY ALONG SAID CURVE, SAID CURVE BEING THE SOUTHWESTERLY LINE OF SAID PARCEL E-1 THROUGH A CENTRAL ANGLE OF 00° 54' 33" AND AN ARC LENGTH OF 118.21 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

A NON-EXCLUSIVE EASEMENT FOR RIGHT OF WAY PURPOSES OVER A STRIP OF LAND 60 FEET WIDE AND A STRIP OF LAND 30 FEET WIDE, AS AN APPURTENANT TO SAID PARCEL 1, AS SHOWN ON THE TRACT 739 MAP.

PARCEL 3:

NON-EXCLUSIVE EASEMENTS ON, OVER AND UNDER THE "PARKING SITE" (AS SUCH TERM IS DEFINED AND DESCRIBED IN THE "AGENCY GRANT DEED DATED" APRIL 12, 1976, RECORDED APRIL 23, 1976 IN REEL 1049 OF OFFICIAL RECORDS OF MONTEREY COUNTY AT PAGE 232, BEING PARCELS A-1, A-2, A-3, A-4, A-5, B, AND I AS SAID PARCELS ARE SHOWN ON THE TRACT 739 MAP, FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES: FOR THE ERRECTING, CONSTRUCTING, MAINTAINING AND OPERATING OF SIGNS AND OTHER ADVERTISING AND DIRECTIONAL FACILITIES; AND FOR PARKING AND VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS, ALL AS DEPICTED AND FULLY DEFINED IN AND LIMITED BY THE AGENCY GRANT DEED.

PARCEL 4:

A NON-EXCLUSIVE EASEMENT OVER AND UPON THE COMMON AREA PORTION OF PARCEL C AS SAID PARCEL IS SHOWN ON THE TRACT 739 MAP (BEING THE "LAND EASEMENT AREA" DEPICTED, DEFINED AND DESCRIBED IN THE AGENCY GRANT DEED), FOR PARKING AND VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS, AS DEPICTED AND FULLY DEFINED IN AND LIMITED BY THE AGENCY GRANT DEED.

REFERENCES:

- CHICAGO TITLE INSURANCE COMPANY TITLE COMMITMENT NO. FWMN-TO17001644, DATED DECEMBER 18, 2017.
- TRACT MAP NO. 7398, 12 CITIES AND TOWNS 60

EXCEPTIONS PER REFERENCE 1:

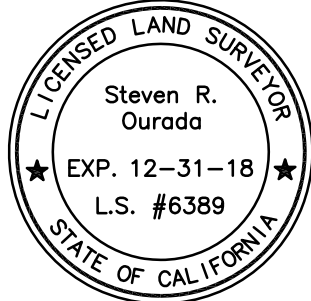
- TAXES
- TAXES
- LIEN OF SUPPLEMENTAL TAXES, IF ANY
- THE HEREIN PROPERTY IS WITHIN THE BOUNDARIES OF MONTEREY REGIONAL PARK DISTRICT OPEN SPACE AND COASTAL PRESERVATION DISTRICT (INST #2017019116) NON-SURVEY RELATED AND NOT PLOTTED.
- ANY ASSESSMENTS OR CHARGES DUE TO THE MONTEREY REGIONAL WATER POLLUTION CONTROL AGENCY.
- DITCH/PIPELINE EASEMENT (BOOK 183, PAGE 291) UNABLE TO PLOT PER RECORD DATA.
- P.G.&E. EASEMENT (VOL. 1808, PAGE 387) UNABLE TO PLOT PER RECORD DATA.
- NEIGHBORHOOD REDEVELOPMENT PROGRAM (REEL 656, PAGE 728; AND AMENDMENTS), ESTABLISHES DEVELOPMENT STANDARDS AND USES, NON-SURVEY RELATED, NOT PLOTTED.
- EASEMENTS ON MAP (12 C&T 60), 10' TELEPHONE EASEMENT, AFFECTS EASTERLY CORNER OF PARCEL 1
- 10' SANITARY SEWER EASEMENT, AFFECTS PORTIONS OF PARCEL 1
- C.C.&R.'s (REEL 1049, PAGES 232 AND 267; REEL 721; REEL 1826, PAGE 604; REEL 2263, PAGE 715), PROVIDES RECIPROCAL ACCESS AND UTILITY EASEMENTS ACROSS PARCELS 1 AND 2.
- PUBLIC UTILITY EASEMENTS (1049 O.R. 267), EASEMENTS FROM LEGAL DESCRIPTION AND SHOWN AS PARCELS 2, 3 AND 4.
- SHOPPING CENTER EXPANSION AGREEMENT (INST #9889903), PROVIDES BLANKET EASEMENT OVER PARKING AREAS FOR RECIPROCAL ACCESS AND UTILITIES, BLANKET IN NATURE AND NOT PLOTTED.
- SIGN AGREEMENT (INST # 9889904), PROVIDES FOR CONSTRUCTION AND USE OF FREEWAY SIGNAGE.
- RECORD INFORMATION GIVES APPROXIMATE LOCATIONS ONLY AND IS NOT PLOTTED.
- DEEDS OF TRUST
22. GENERAL NOTES AND TITLE COMPANY REQUIREMENTS.

SURVEYOR'S CERTIFICATE

TO: McDONALD'S USA, LLC, A DELAWARE LIMITED LIABILITY COMPANY;
McDONALD'S REAL ESTATE COMPANY, A DELAWARE CORPORATION;
McDONALD'S CORPORATION, A DELAWARE CORPORATION; AND
CHICAGO TITLE INSURANCE COMPANY

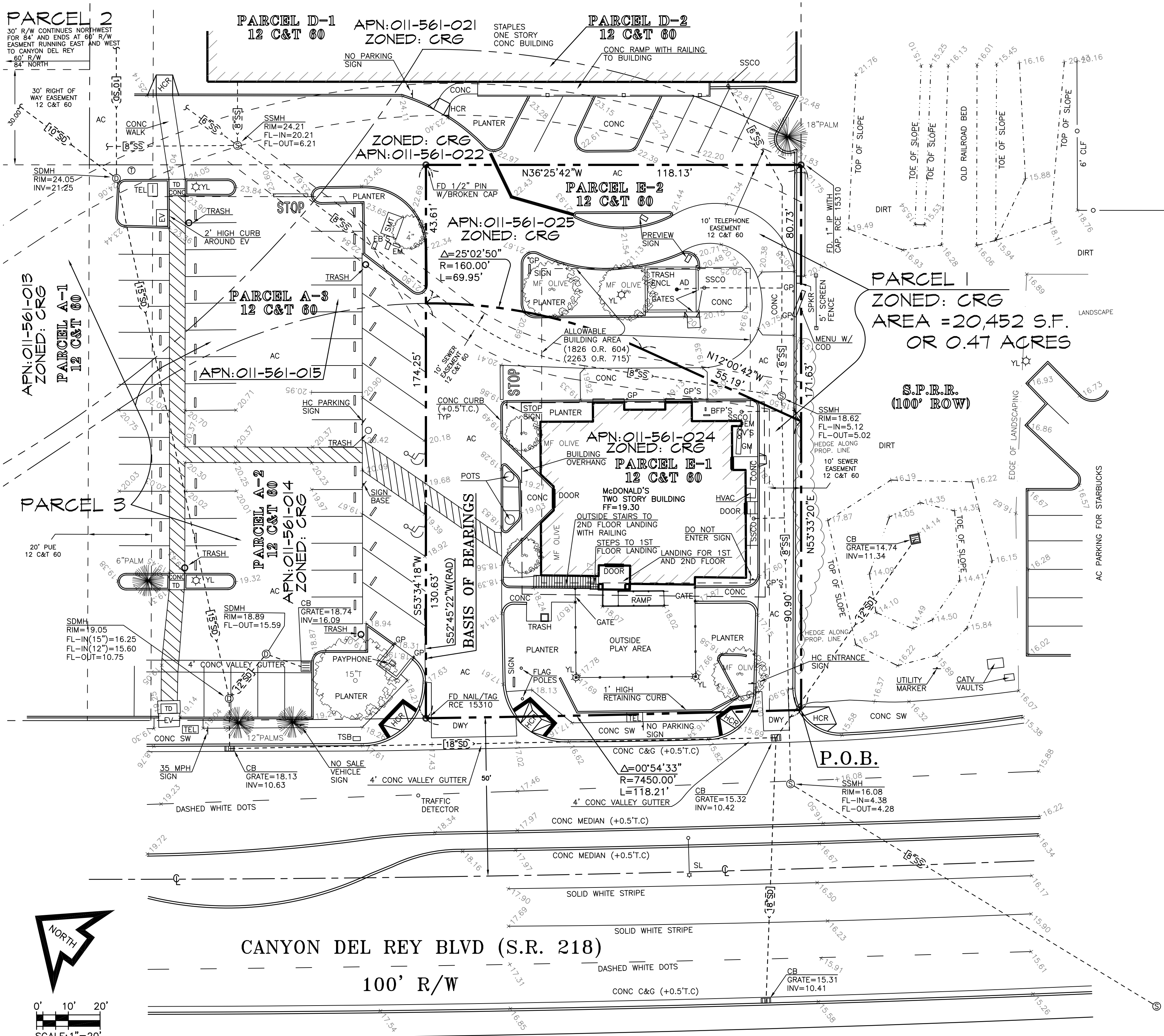
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 2, 3, 4, 5, 7, 8, 9, 11, 17 AND 18 OF TABLE A THEREOF, AND THAT IT COMPLIES WITH THE REQUIREMENTS PROVIDED BY McDONALD'S CORPORATION. THE FIELD WORK WAS UPDATED ON MARCH 28, 2018.

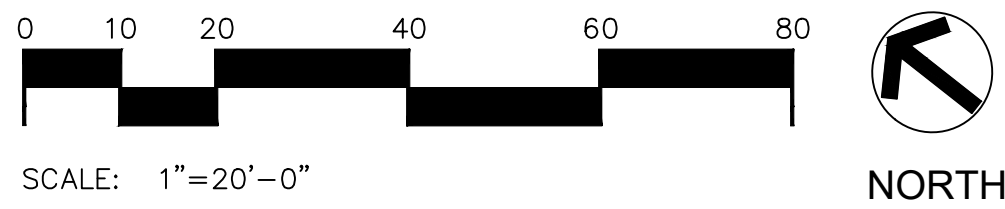
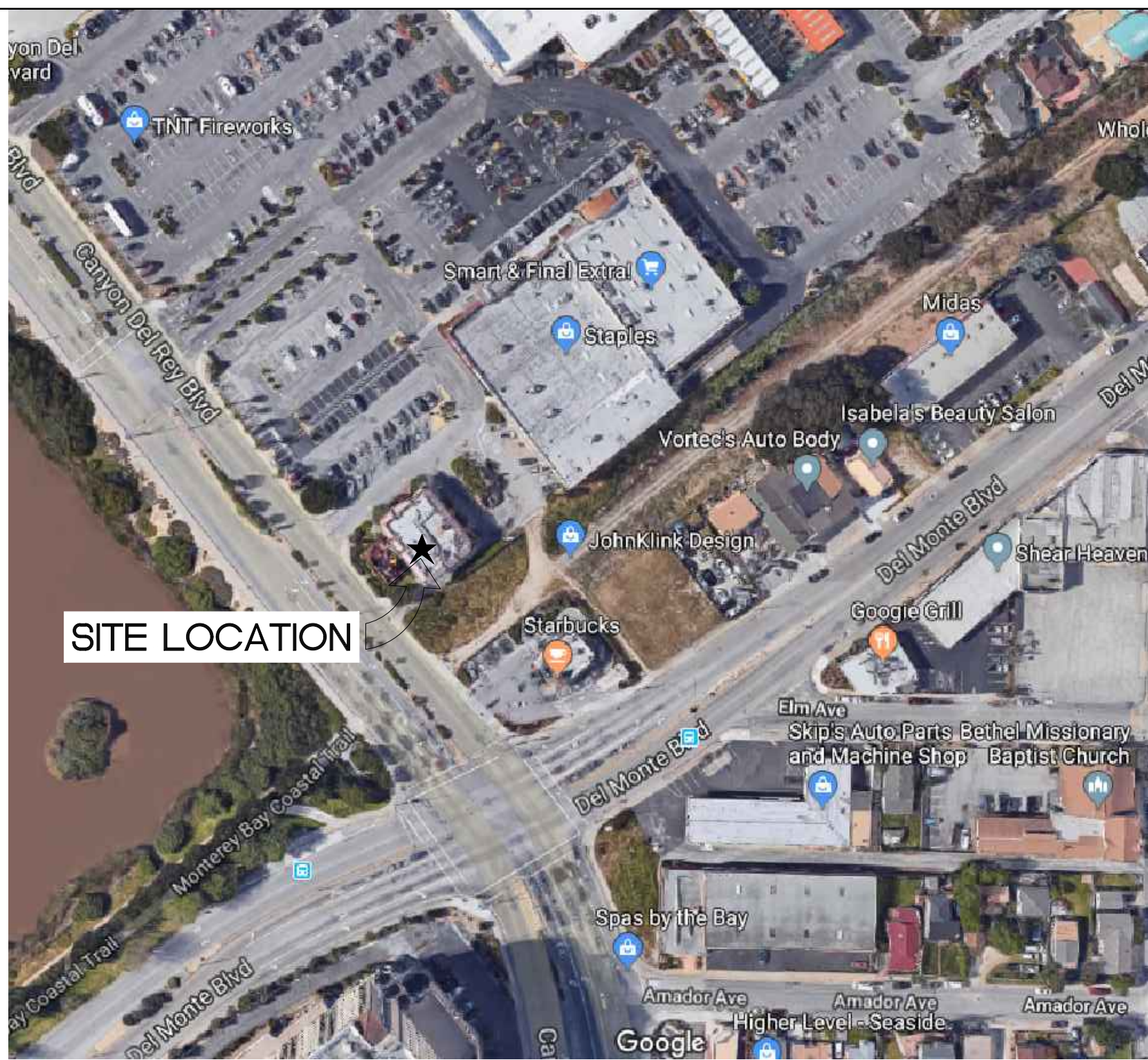
DATE: MARCH 30, 2018
SIGNED: Steven R. Ourada
STEVEN R. OURADA, L.S. #6389



L/C: 004-1284

A.L.T.A. SURVEY 1516 CANYON DEL REY BLVD APN: 011-561-024 & -025 CITY OF SEASIDE COUNTY OF MONTEREY STATE OF CALIFORNIA Prepared for McDONALD'S CORPORATION OURADA ENGINEERING 5805 FLEET COURT ROCKLIN, CALIFORNIA 95765 PHONE: (916) 624-1221			JOB NO. MC-1492 SHEET 1 OF 1 DRAWN BY: SRO DATE: 03/30/2018 MC1492 ALTA 2018.DWG
--	--	--	---




$$1'' = 20' - 0''$$


Professional of Record:

P/M
DESIGN

**Architectural
Solutions Group**

2455 Bennett Valley Rd.
Suite A-102
Santa Rosa, CA. 95404

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PREPARED FOR: © 2019 McDonald's USA, LLC

PREPARED FOR:

SP 1

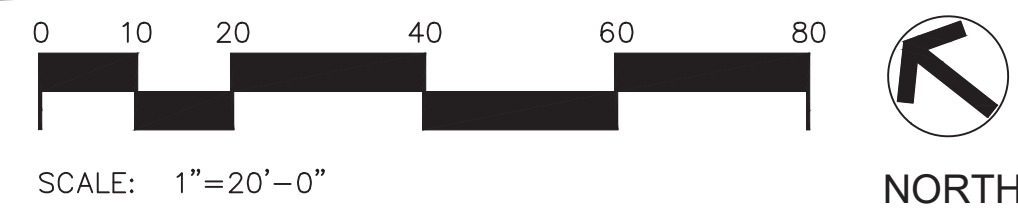
SITE PLAN



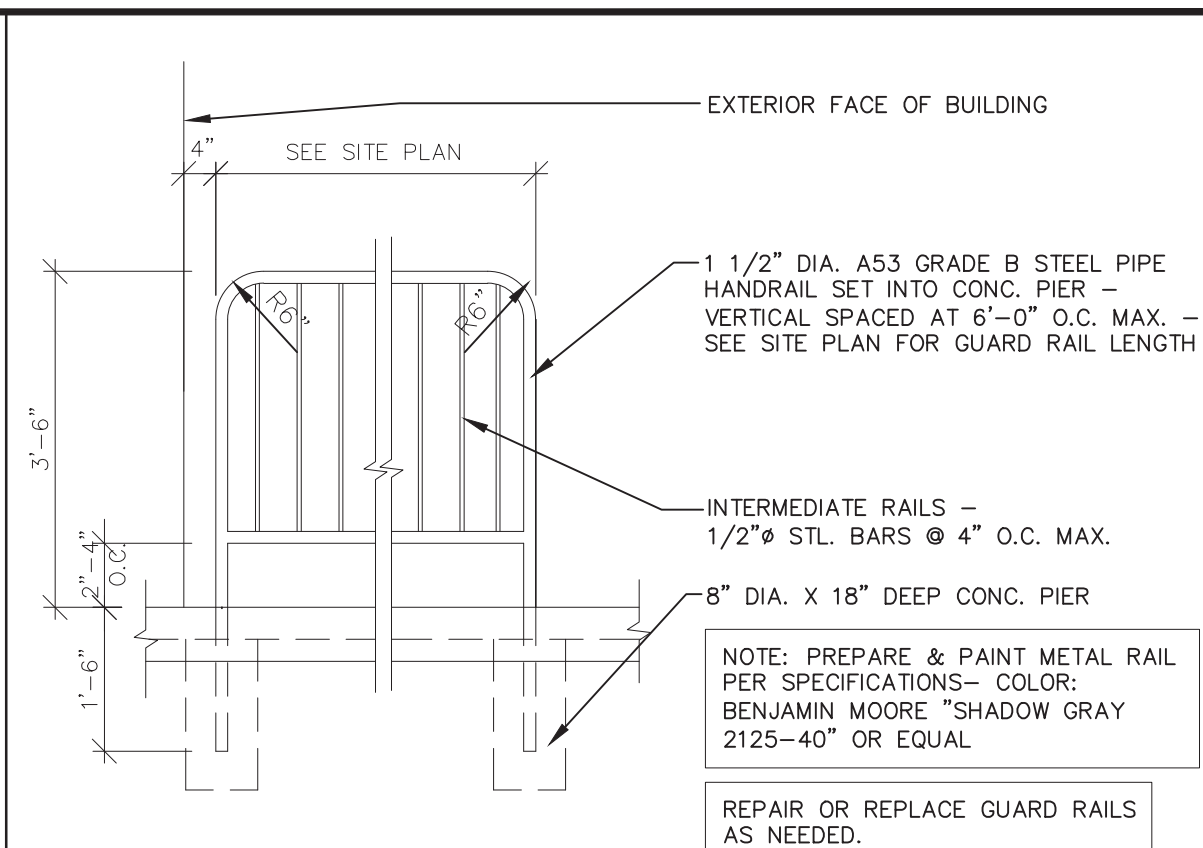
CIRCULATION PLAN

LEGEND

- | | | |
|---|-------|--|
|  | | GUARD RAIL, DETAIL 1/SP1C |
|  | | DO NOT ENTER SIGN, DETAIL 5/SP1C |
|  | | DRIVE-THRU DIRECTIONAL SIGN |
|  | | NOT A DRIVE-THRU ENTRY SIGN |
|  | | YIELD TO PEDESTRIAN SIGN,
DETAIL 2/SP1C |
|  | | LANDSCAPE AREA |
|  | | RAISED CROSS WALK |



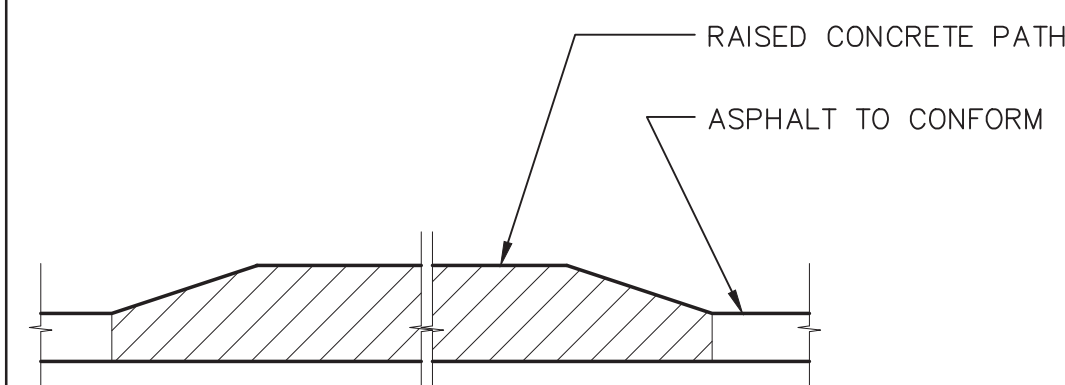
5 SIGN – DO NOT ENTER
SPIC –



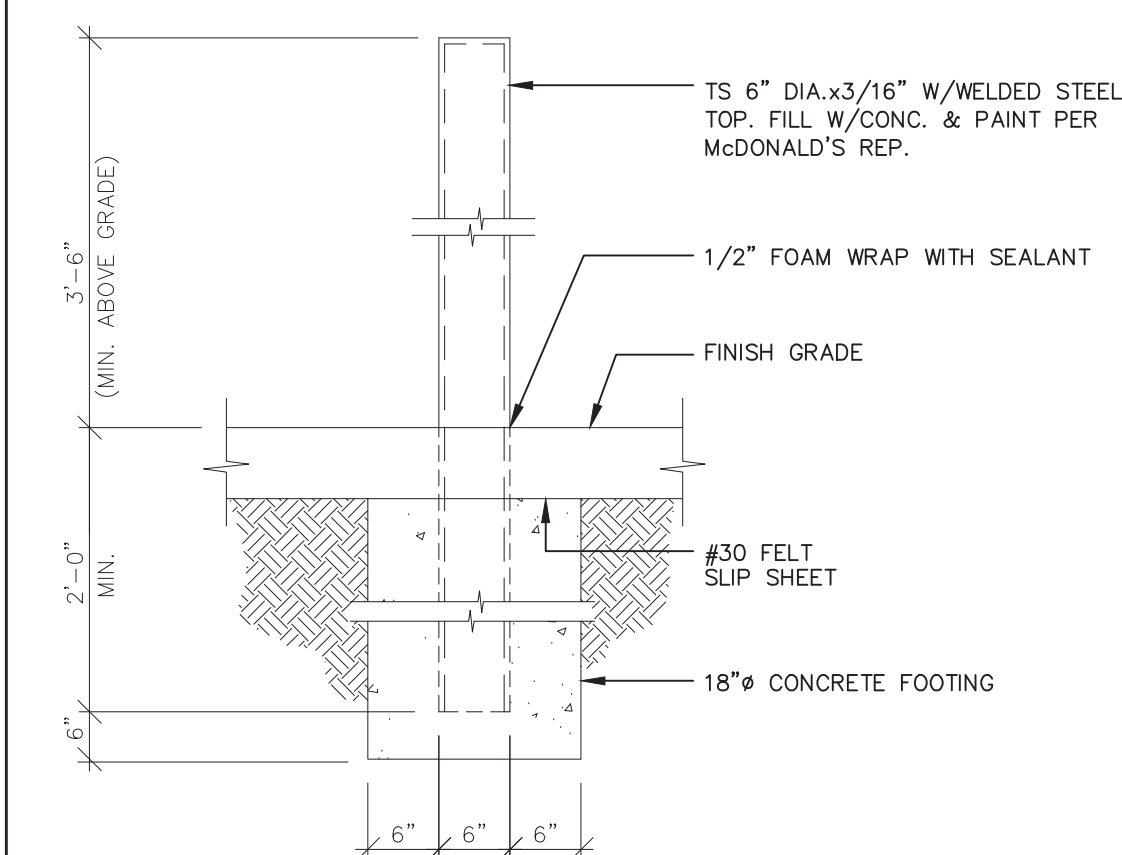
1 GUARD RAIL DETAIL
SP1C 1/2" = 1'-0"



2	SIGN – YIELD FOR PEDESTRIAN
SP1C	-



SECTION –RAISED ACCESSIBLE PATH



4	CONCRETE BOLLARD (GUARD POST)
SP1C	3/4"=1'-0"

REV	DATE	DESCRIPTION	BY
	03/20/19	ISSUED FOR USE PERMIT REVIEW	RMF
	02/21/19	ISSUED FOR CLIENT REVIEW REVIEW	RMF

Professional of Record:



Architectural
Solutions Group

2455 Bennett Valley Rd
Suite A-102
Santa Rosa, CA. 95404

Seal

PREPARED FOR: © 2019 McDonald's USA, LLC



These drawings and specifications are the confidential and proprietary property of McDonald's USA, LLC and shall not be copied or reproduced without written authorization. The contract documents were prepared for use on this specific site in conjunction with its issue date and are not suitable for use on a different site or at a later time. Use of these drawings for reference or example on another project requires the written approval of McDonald's USA, LLC. These drawings and contract documents for reuse on another project is not authorized.

TITLE	McDONALDS #73436
DESCRIPTION	SEASIDE — CANYON DEL RE
REBUILD — BR20	
WOOD BEARING WALLS AND WOOD ROOF FRAMING	
STUCCO/PANEL/INTERIOR PANEL FINISHES	
SITE #	1516 CANYON DEL RE, SEASIDE, CA 93955
DATE ISSUED	04/04-1284
REVIEWED BY	RNF
STD. ISSUE DATE	03/20/19
DRAWN BY	B. CB

SP 1 C

D PAVEMENT MARKINGS

Standard Stencil and Paint Color:

These are available at the Pavement Stencil Company 1-800-250-5547. The following description is what you would say as you order. There are no part numbers associated with these.

Stencils:

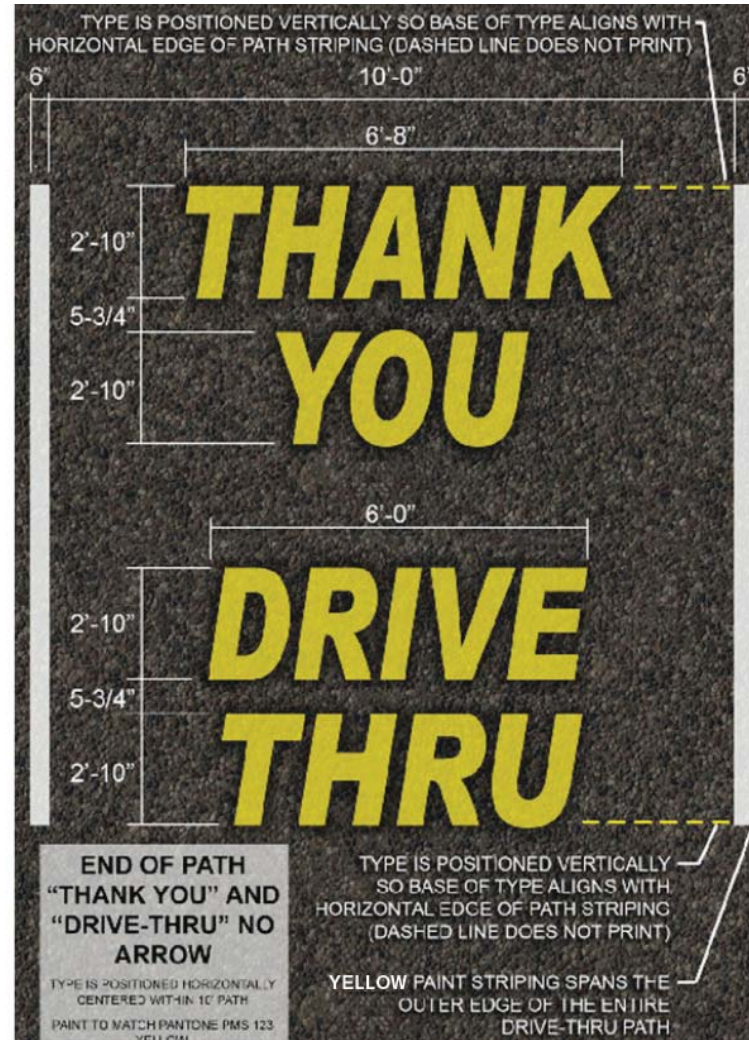
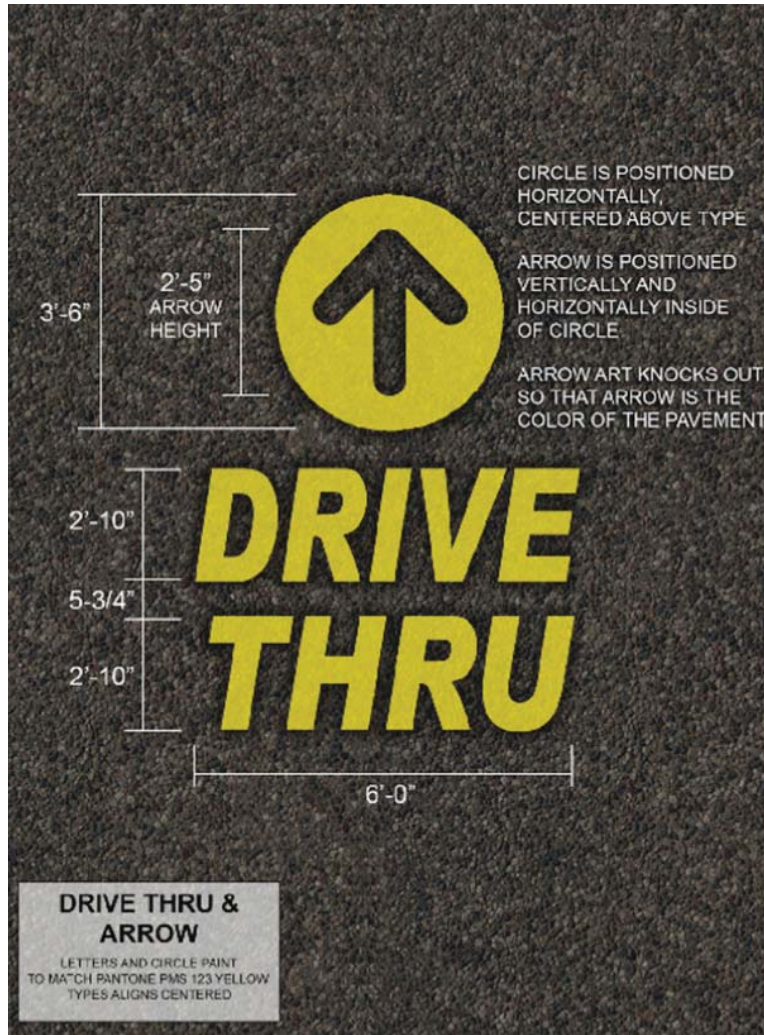
1. **Drive Thru**
2. **Round Circle (directional arrow)**
3. **Thank You**
4. **Double-Headed Arrow** for a Double Drive-Thru is made up of three components that the lot striping company has. The first piece is a PC Shaft 12" W by 36" L, a PC Reversible curved Shaft 12" W by 51" L and the last piece is a Ph Arrow Head 38" L by 36" W.
5. **Lane Stripe** is a 6" wide done by the lot striping company.
6. **Pull forward/Park Stripe** is 8" wide done by company lot striping (stall stripe width to match existing parking lot stalls).

Paint Color:

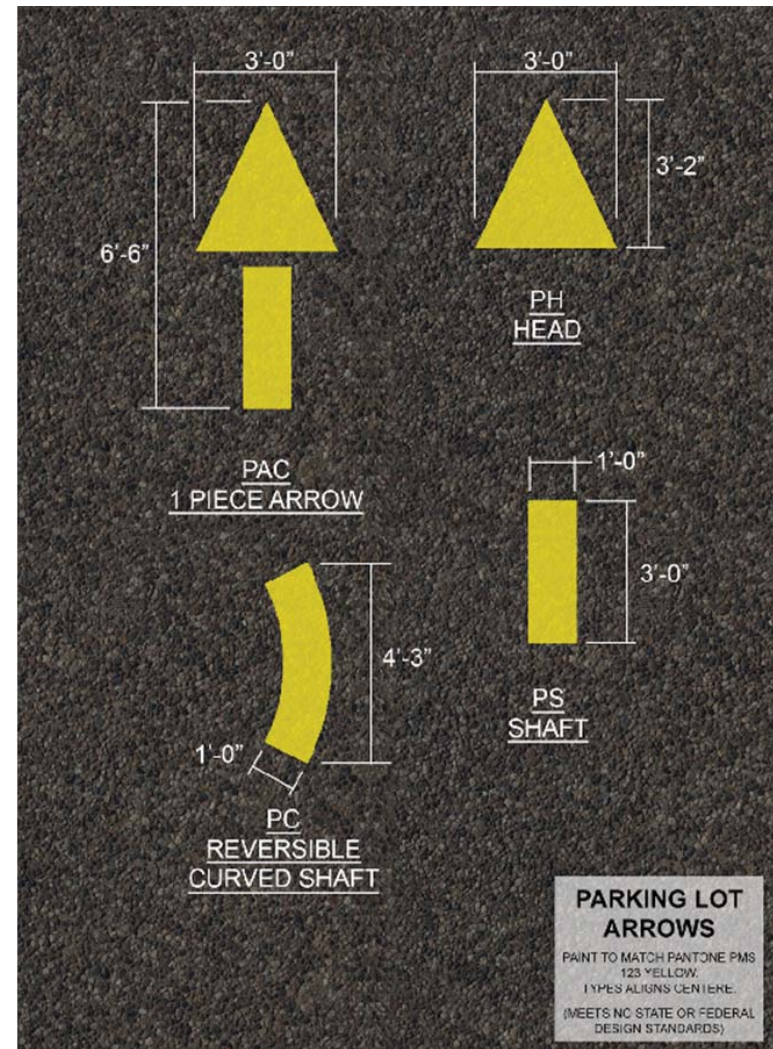
This is for all drive-thru directional striping including the painted stripe for the lane. The paint color should match PMS 123 Yellow.



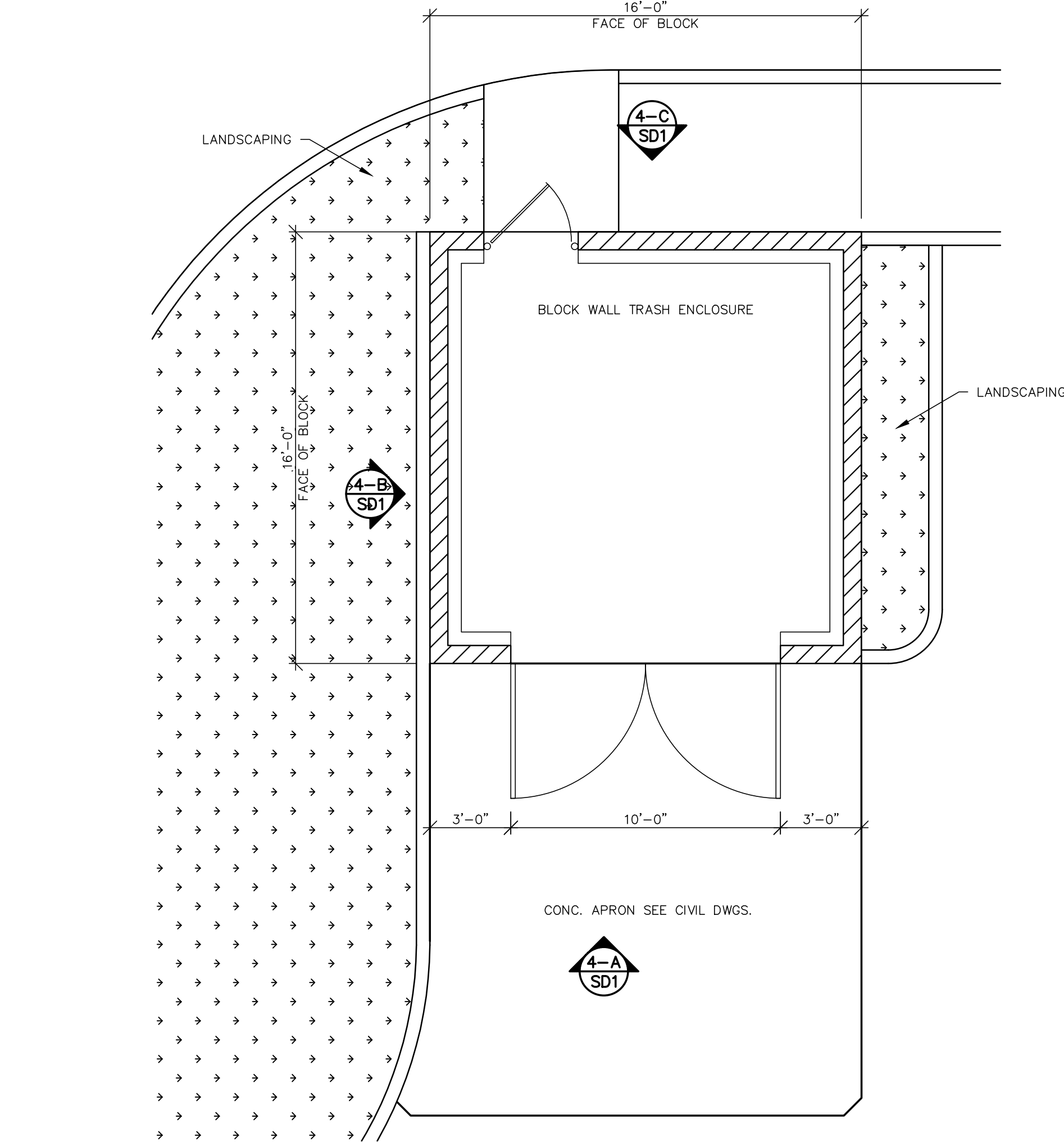
PAVEMENT MARKINGS TEMPLATES



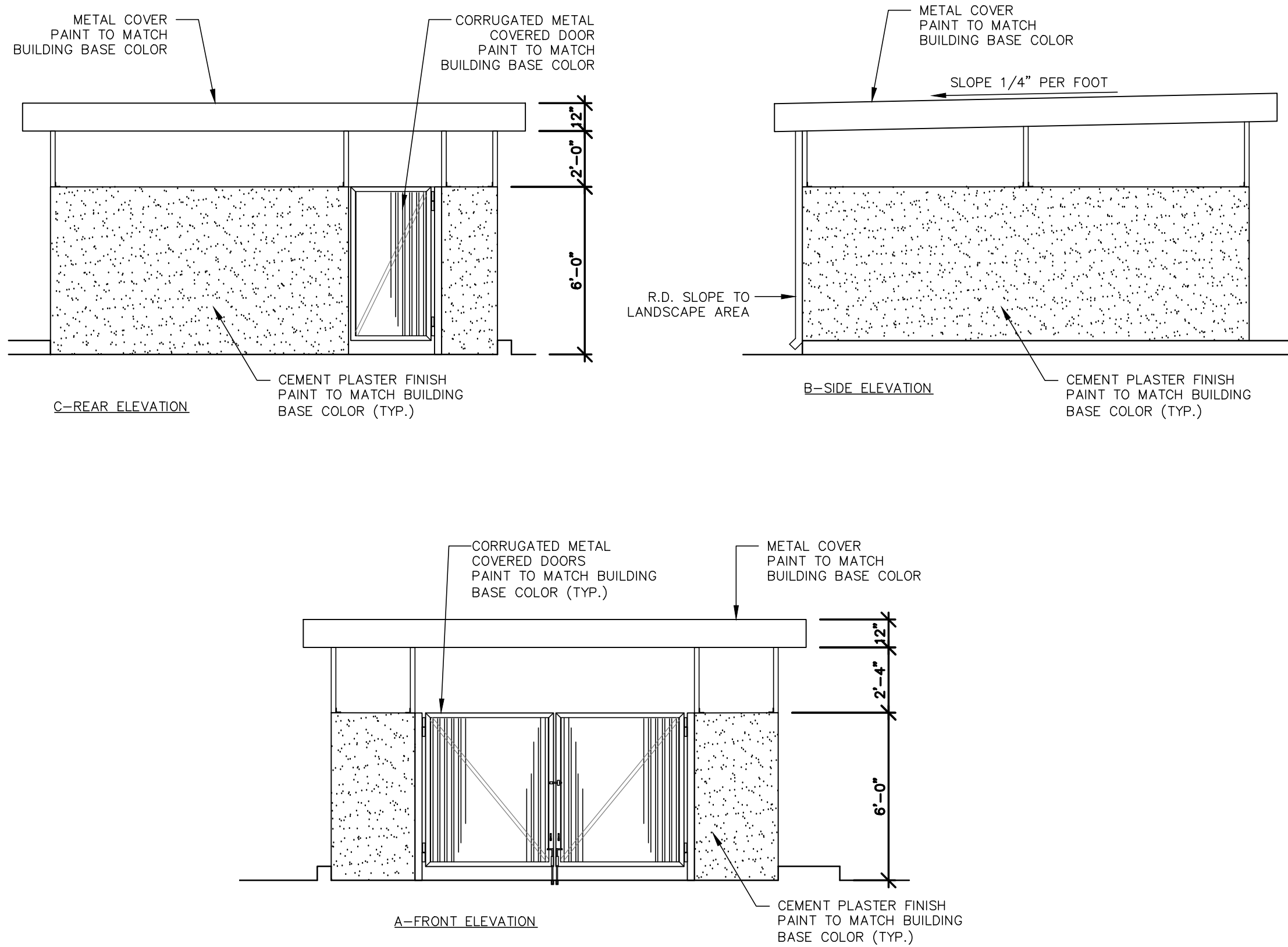
PAVEMENT MARKINGS TEMPLATES



\\PM\DESIGN\LOCAL\PM\G\SHARED\A001-PROJECTS\AMERICAN CANYON\MCDONALD'S\MCD 2017\MCD17201.0 - SEASIDE\01-DRAWINGS\CURRENT\01-ARCHITECTURAL\02-PLANNING\01-17201_SDT SITE DETAILS.DWG 3/20/2019 11:47 AM JEAN M. RUST



2 ENLARGED TRASH ENCLOSURE
SD1 1/4" = 1'-0"



4 TRASH ENCLOSURE ELEVATIONS
SD1 1/4" = 1'-0"

NOTE:
SEE STRUCTURAL DRAWINGS FOR MORE INFORMATION

REV	DATE	DESCRIPTION	BY
03/20/19		ISSUED FOR USE PERMIT REVIEW	RMF
02/21/19		ISSUED FOR CLIENT REVIEW	RMF

Professional of Record:

PM DESIGN
Architectural
Solutions Group

2455 Bennett Valley Rd.
Suite A-102
Santa Rosa, CA, 95404

Seal

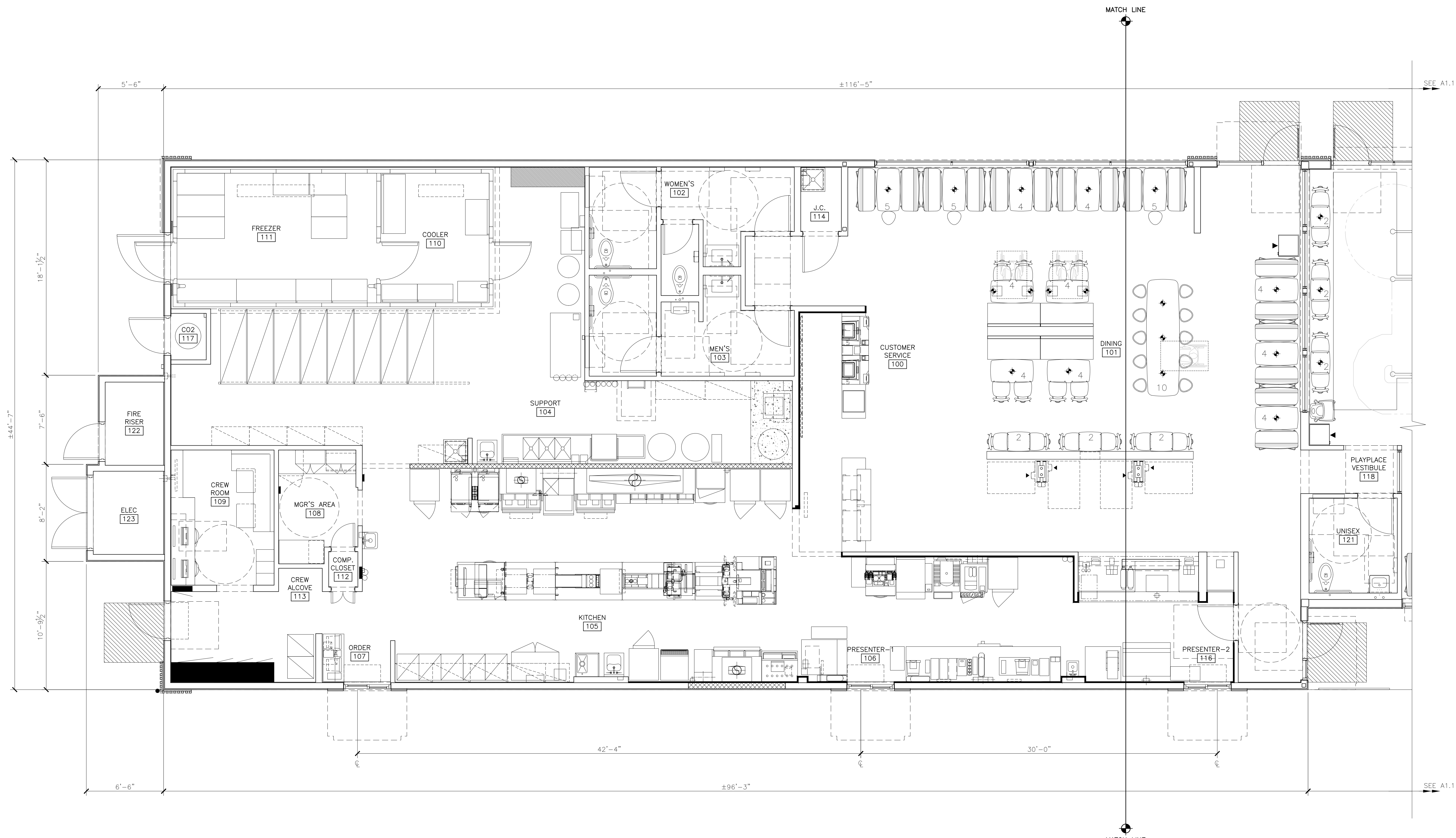
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McDonald's USA, LLC

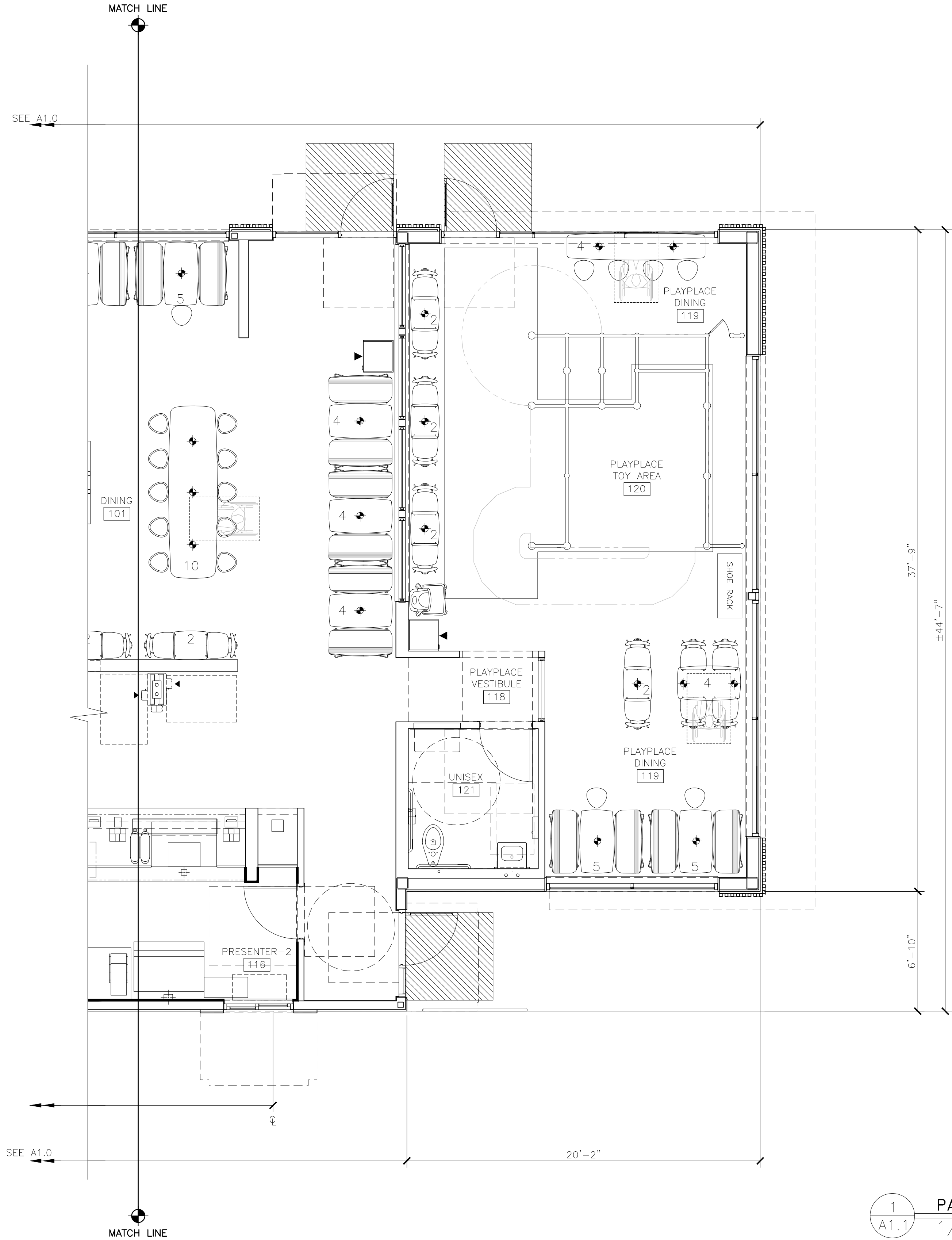
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TITLE	DRAWN BY	STD	ISSUE DATE	REVIEWED BY	DATE
McDONALDS #7436 SEASIDE - CANYON DEL REY	LB/CB		03/20/19		
REBUILD - BB20					
WOOD BEARING WALLS AND WOOD ROOF FRAMING					
STUCCO/BATTEN/METAL PANEL FINISHES					
004-1284					

SD1
SITE DETAILS

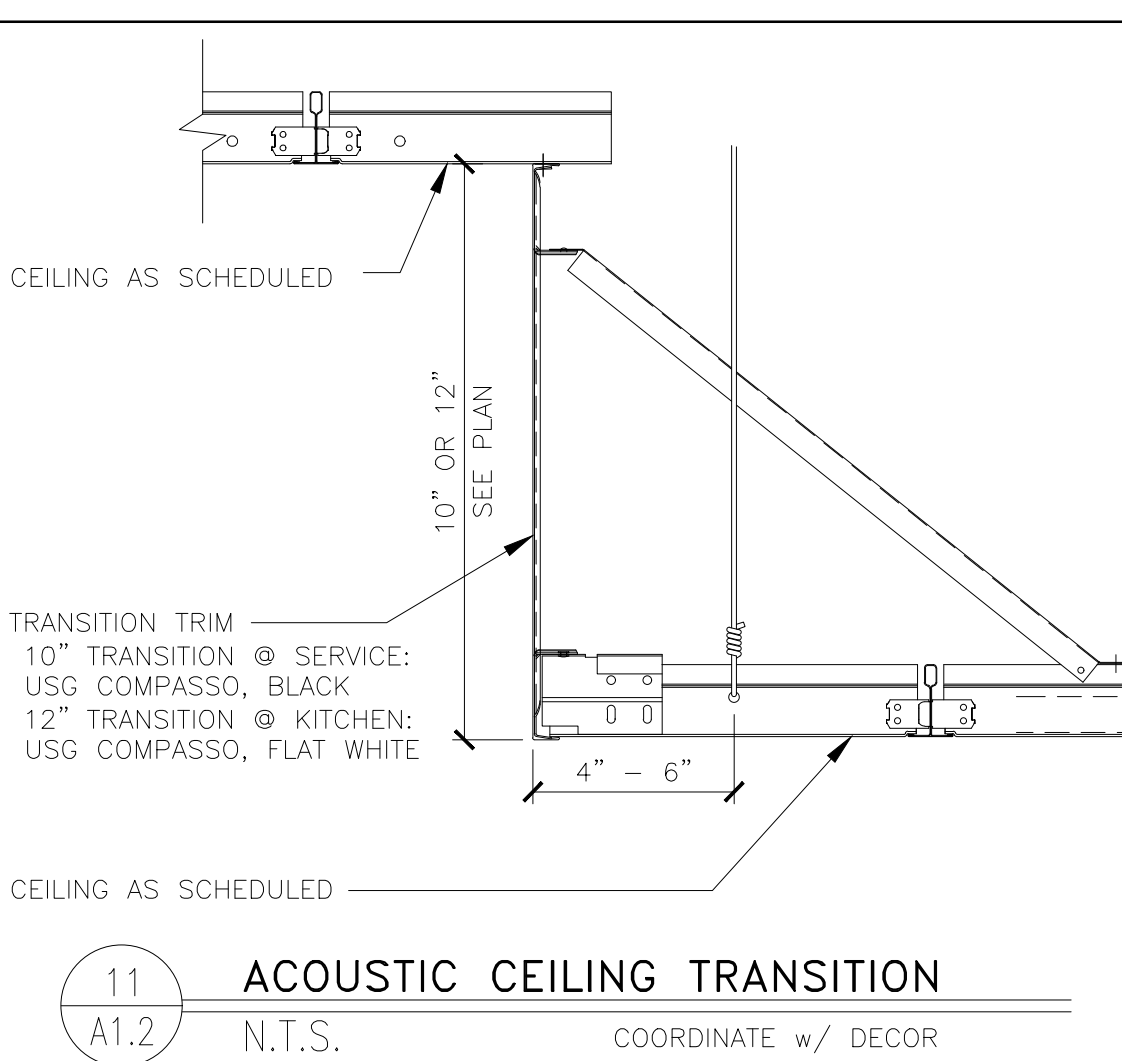
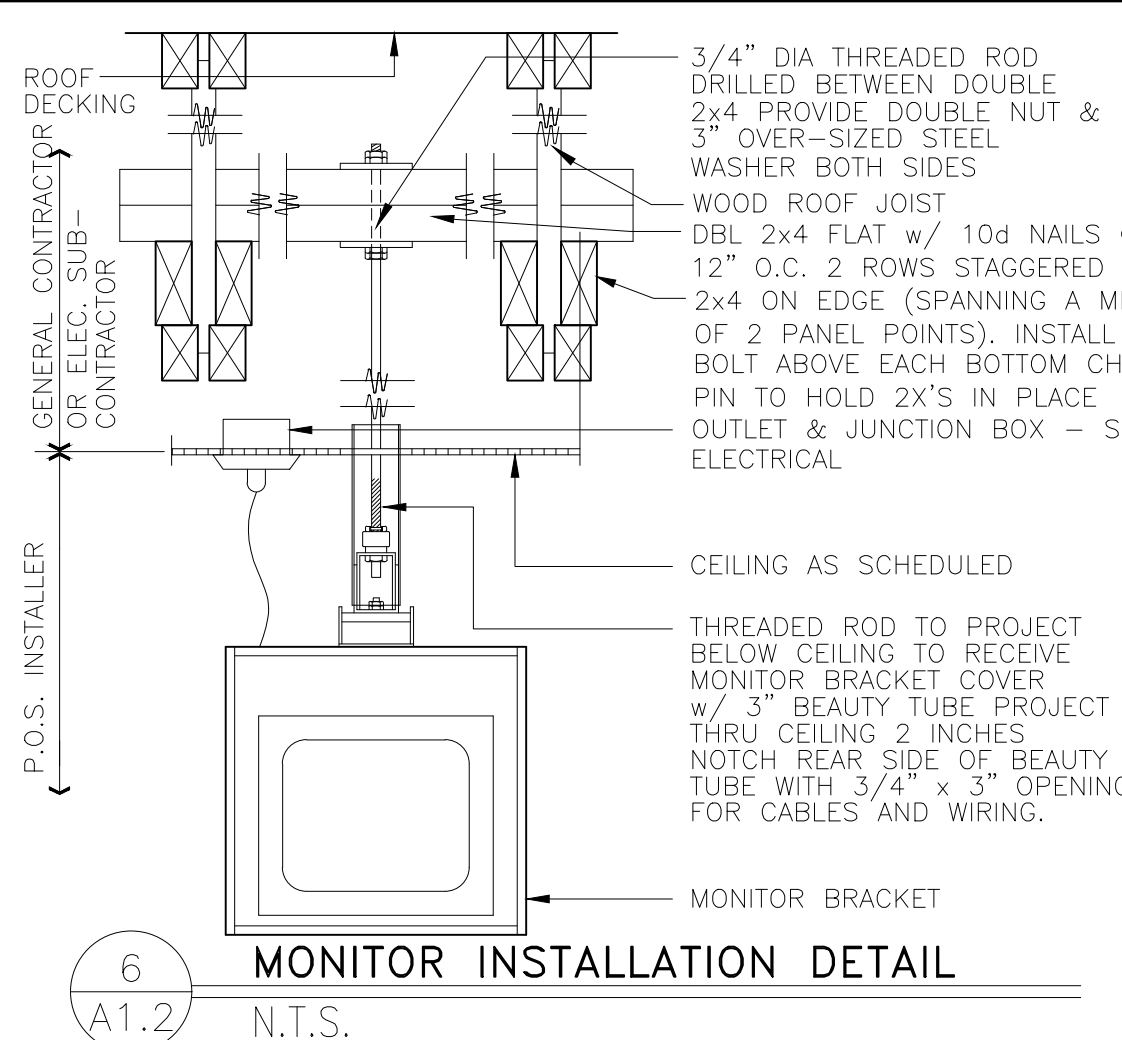
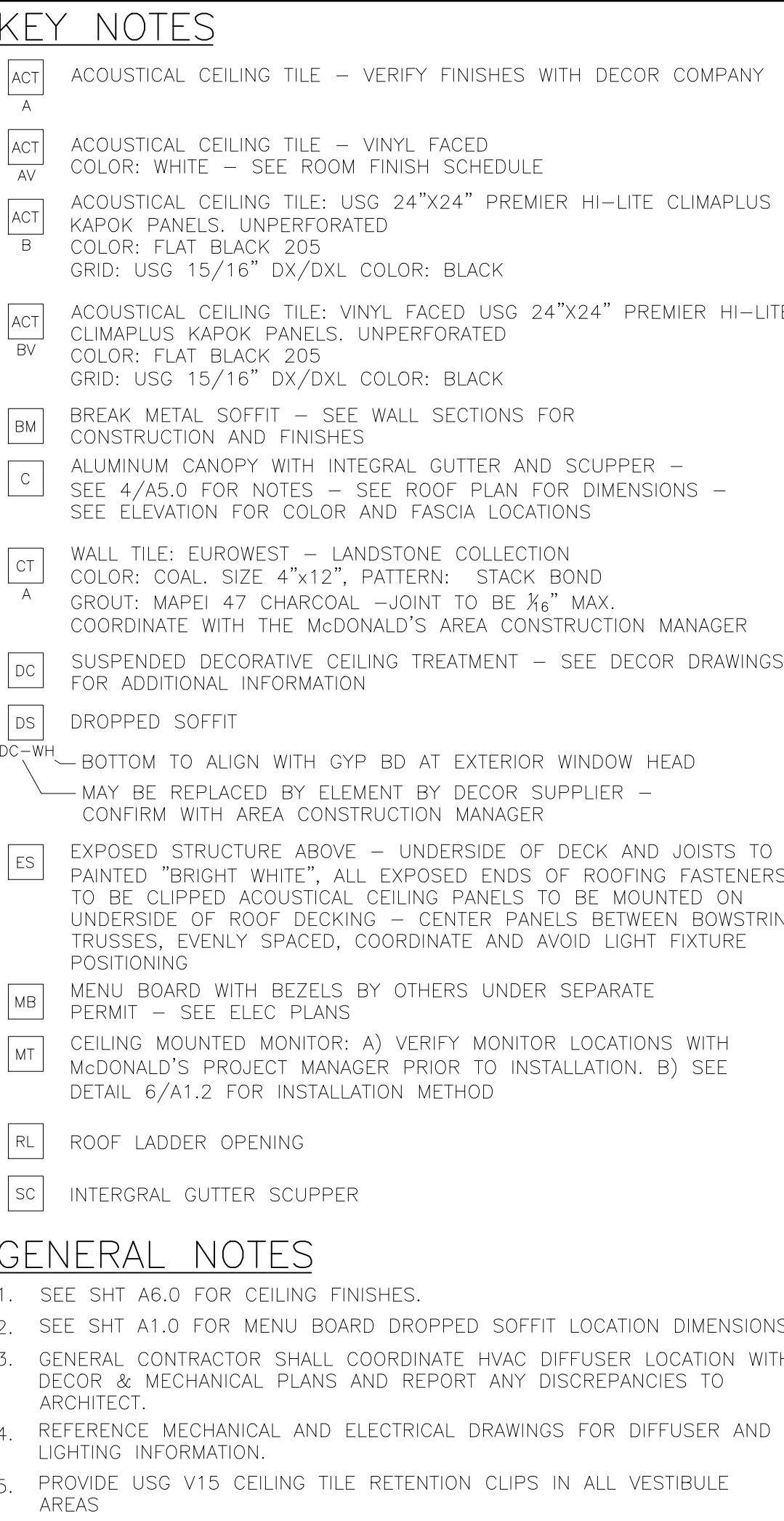
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\\PDESIGN\LOCAL\PMDS\SHARED\A001-PROJECTS\AMERICAN CANYON\MCDONALD'S_MCD 2017\MCD17201.0 - SEASIDE\01 DRAWINGS CURRENT\01-ARCHITECTURAL\02-PLANNING\02-17201_A-PLANDWG 32022019 11:48 AM JEAN M. RUSIT

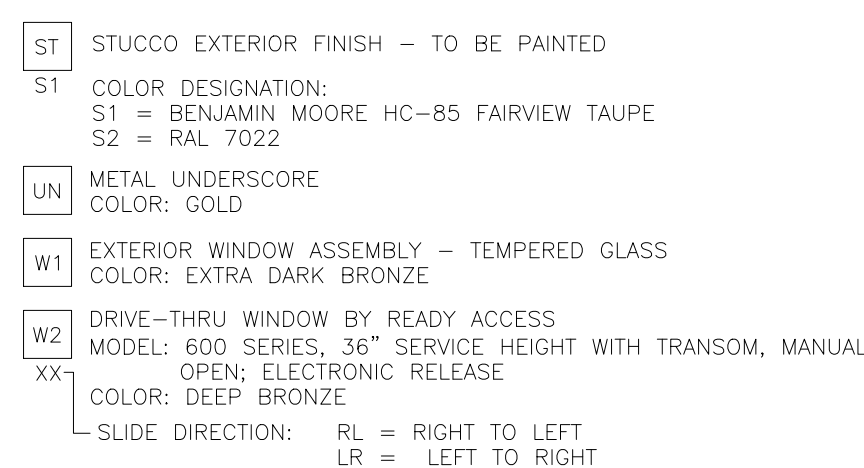
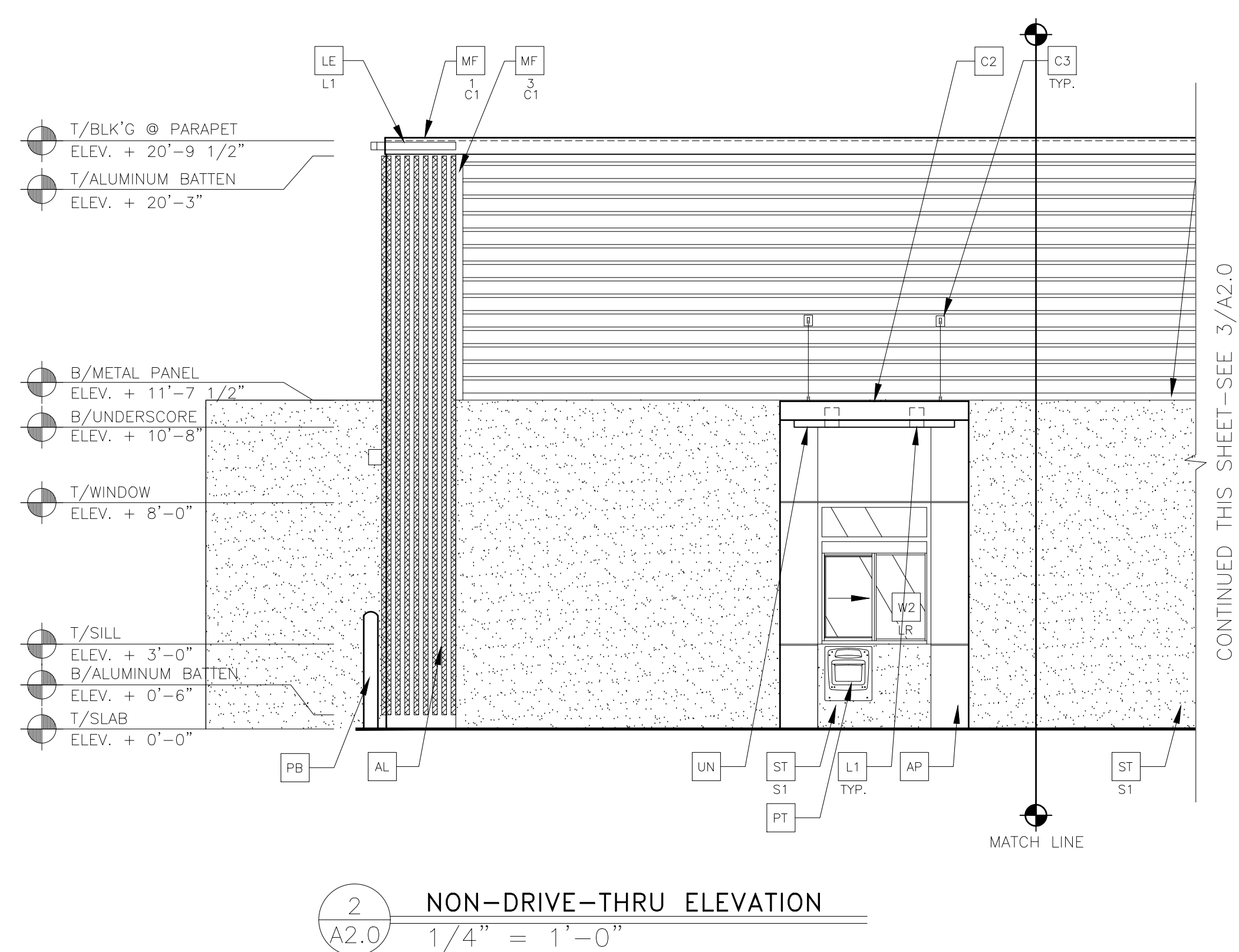


1
A1.1
PARTIAL FLOOR PLAN
1/4"=1'-0"
(SEE PARTIAL PLAN 1/A1.0 FOR CONTINUATION OF FLOOR PLAN)

SHEET NO.	TITLE	DRAWN BY LB/CB	DESCRIPTION	REVIEWED BY RMF	DATE / ISSUED 03/20/19	SITE ADDRESS	SITE ID 004-1284	1516 CANYON DEL REY, SEASIDE, CA 93955	Professional of Record:	PM DESIGN Architectural Solutions Group 2455 Bennett Valley Rd. Suite A-102 Santa Rosa, CA, 95404	Seal	© 2019 McDonald's USA, LLC	McDonald's USA, LLC These drawings and specifications are the confidential and proprietary information of McDonald's USA, LLC and may not be copied or reproduced without written authorization from McDonald's USA, LLC. The contract documents were prepared for use on this specific site in conjunction with its issue date and are not to be used for any other project without written authorization. Reproduction of these drawings for reference or example on another project requires the services of properly licensed architects and engineers. Reproduction of the contract documents for reuse on another project is not authorized.	PREPARED FOR:	REV	DATE	DESCRIPTION	BY



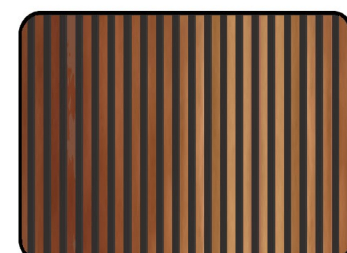
SHEET NO.	TITLE	DRAWN BY LB/CB	PREPARED FOR:		Seal	© 2019 McDonald's USA, LLC  McDonald's USA, LLC These drawings and specifications are the confidential and proprietary property of McDonald's USA, LLC and shall not be copied or reproduced without the written permission of McDonald's USA, LLC. Use of these drawings for use on a different site or at a later time. Use of these drawings for any purpose other than that intended by the architect is prohibited. The reproduction of these drawings without the written permission of the architect is prohibited. The contract documents for reuse on another project is not authorized.	
			McDonalds #7436				
			SEASIDE - CANYON DEL REY				
			REBUILD - BB20				
			WOOD BEARING WALLS AND WOOD ROOF FRAMING				
A1.2	DESCRIPTION	REVIEWED BY RMF	DATE ISSUED 03/20/19	Professional of Record:  PM DESIGN Architectural Solutions Group 2455 Bennett Valley Rd. Suite A-102 Santa Rosa, CA. 95404	REV. DATE DESCRIPTION BY		
						STUCCO/BATTEN/METAL PANEL FINISHES	
						REBUILD - BB20	
						WOOD BEARING WALLS AND WOOD ROOF FRAMING	
						WOOD BEARING WALLS AND WOOD ROOF FRAMING	
04-1284	SITE ID	SITE ADDRESS	03/20/19	ISSUED FOR USE	PERMIT REVIEW	RMF	
04-1284	1516 CANYON DEL REY, SEASIDE, CA 93955	1516 CANYON DEL REY, SEASIDE, CA 93955	02/21/19	ISSUED FOR CLIENT REVIEW	REVIEW	RMF	



SHEET NO.	TITLE	DRAWN BY
A2.0	McDONALDS #7436	LS/CB
	SEASIDE — CANYON DEL REY	STD. ISSUE DATE
		03/20/19
		REVIEWED BY
		RMF
	DESCRIPTION	DATE ISSUED
	REBUILD — RB20	03/20/19
	WOOD BEARING WALLS AND WOOD ROOF FRAMING	
	STUCCO/BATTEN/METAL PANEL FINISHES	
	SITE ID	SITE ADDRESS
	094-1284	1516 CANYON DEL REY, SEASIDE, CA 92085



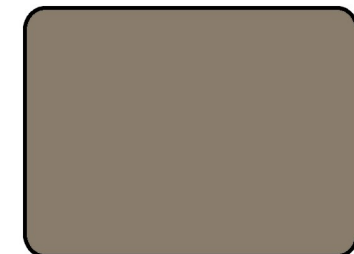
MATERIAL LEGEND:

		
BENJAMIN MOORE FAIRVIEW TUAPE HC-85	RAL 7022	GOLD
		
ALUMINUM BATTEN SYSTEM SUBSTRATE - RAL 7022	WEATHERED ZINC	WHITE





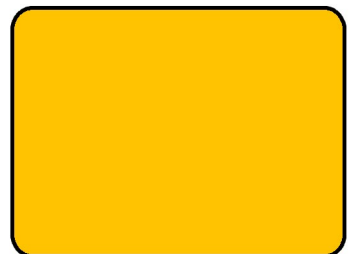
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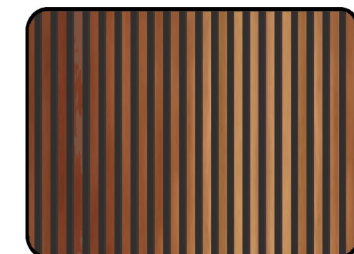
BENJAMIN MOORE
FAIRVIEW TUAPE
HC-85



RAL 7022



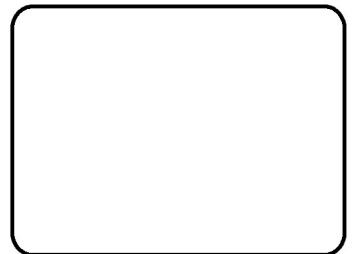
GOLD



ALUMINUM BATTEN SYSTEM
SUBSTRATE - RAL 7022



WEATHERED ZINC



WHITE





CITY OF SEASIDE STAFF REPORT

Item No.: 7.B.

TO: Planning Commission

BY: Gloria Stearns, Community Development Manager
Rick Medina, Senior Planner

DATE: May 22, 2019

SUBJECT: USE PERMIT APPLICATION NO. 19-10: CLAY AND LISA MATHEWS, PROPERTY OWNER, AND THOMAS RETTENWENDER, APPLICANT, ARE REQUESTING USE PERMIT APPROVAL FOR AN EXTERIOR STAIRWAY LEADING TO A 478 SQUARE FOOT ROOF DECK ABOVE A NEW TWO-CAR GARAGE ATTACHED TO A ONE-STORY SINGLE FAMILY DWELLING LOCATED AT 1565 ORD GROVE AVENUE IN THE RS-8 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT (APN# 011-043-014). THE PROJECT IS CATEGORICALLY EXEMPT CLASS 1, SECTION 15301(E)(1) FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PURPOSE & RECOMMENDATION

In accordance with Section 17.12.050 of the Seaside Municipal Code (Table 2-3 Residential Zone Development Standards), Note 6, exterior stairways that would lead to a roof deck within Residential Zone are permitted with the issuance of a use permit.

BACKGROUND

The subject site consists of an 8,712 square-foot parcel located on the north side of Ord Grove Avenue between Cross Street to the west and Mariposa Street to the east. The property is developed with a 1,656 square-foot, one-story single family dwelling with an attached 293 square-foot, one-car garage built in 1950's. The parcel is relatively flat with a gradual north to south slope within the front yard. The adjoining parcels consist of one-story single family dwellings on the north, south and west and a two-story single family dwelling to the east. Location Map is provided as Attachment 2. Aerial photo is provided as Attachment 3. Site Photographs is provided as Attachment 4.

PROJECT DESCRIPTION

The applicant is proposing convert an existing attached 290 square-foot one-car garage into a dining room and construct a new 480 square-foot two garage with a 478 square-foot roof deck above in front of the existing one-car garage. Access to the roof deck will be provided by an exterior stairway on the north side of the new garage. Access to the new garage would be provided from the existing drive approach which would be widened to accommodate the expanded two-car garage. The proposed remodel will also include modifying the roof at the front of the existing dwelling from a 2/12 to 4/12 and adding a 200 square-foot covered front porch. With the added square footage from the converted garage, the residence would have 1,984 square feet of living area.

The proposed rooftop deck is located on the east side of the house and has a proposed top rail height of 2 feet above the highest roofline (approximately 15 feet from the ground). The finished floor of the deck will be three feet below the top rail. Proposed additions would match the existing painted stucco exterior walls, asphalt shingle roof, painted galvanized gutter and downspouts, and painted wood roof overhangs. Project plans are provided as Exhibit A to Attachment 1 (Draft Resolution). An existing Holly tree located adjacent to the east of the exterior stairway will be removed.

ENVIRONMENTAL REVIEW

This project is exempt from the California Environmental Quality Act pursuant to Class 1, Section 15301(e)(1): Class 1 consists of additions to existing structures involving negligible or no expansion of use.

Evidence: The proposed roof deck would consist of an accessory use to the single family that would not have any impact on the environment or materially affect the use and/or mass of the dwelling..

Staff Analysis

A use permit shall be filed under the use permit process outlined in Section 17.62.070.F to determine whether the following findings can be made concerning the proposed project:

Finding **1**

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

Seaside	General	Plan	Conformance
----------------	----------------	-------------	--------------------

The Seaside General Plan Land Use Designation for the project site is Single Family Low Density Residential. Roof decks consist of an accessory use that would be allowed

in a single family dwelling with design review approval. With an exterior stairway, the design review approval is subsequent to the granting of a use permit. The General Plan requires all new development to complement and enhance existing land uses, as set forth in the following Land Use and Urban Design Goals and Policies: The General Plan provides the following guidelines with respect to Streetscapes/View sheds and land use compatibility:

- Goal UD-3: Provide and maintain a streetscape system that protects views and enhances the visual quality and continuity within the community.
- Policy UD-3.1: Protect private views of significant natural features, such as the Monterey Bay, Roberts Lake, the Pacific Ocean, the surrounding mountains, and other important viewsheds.
- 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 project proposal is compatible with the overall design and scale of surrounding residential land uses. The placement of an exterior stairway on the east side elevation of a two-car garage leading to the roof deck above garage will not detract from the character of the neighborhood in that stairway would be screened from public view on Ord Grove Avenue and would have a solid screen on the staircase facing the adjoining single family dwelling to the east. Furthermore, the modifications to raise the height of the existing roof line and the addition of the front covered porch on the main dwelling will serve to blend the mass and height of the new garage/roof deck into existing dwelling and minimize the appearance of a unbalanced pop-up appearance over one side of the dwelling. The existing Holly tree being removed will be replaced on three to one ratio.

Single-Family Residential Design Guidelines

The proposed rooftop deck and addition of the garage and front porch will provide breaks in the roofline to provide interest and break-up of the massing. The following Single-Family Residential Design Guidelines support this proposed modification:

- "Architectural elements should be designed to eliminate the appearance of box-like buildings," (II.A.iii.) and, "Avoid box-like appearance through variation in the roofline and building elevations" (III.C.iv.)
- The visual impact of the proposed rooftop deck is relevant to design review based on the following Single-Family Residential Design Guidelines item: "Secondary Story or Roof Decks should use appropriate screening measures to reduce privacy invasion (i.e.,

solid railing walls, latticework and landscaping)” (II.B.ii.c)

Evidence: The neighborhood has a variety of architectural styles and colors, with ranch and mid-century modern as the predominant architectural styles. The the project plans for the residence have been designed to respect the existing residential patterns and scale in the neighborhood.

Evidence: Due to a grade differential between the uphill adjacent rear residence and the project site, staff finds that the proposed rooftop deck will not significantly impact the viewshed of the adjacent property.

Finding 2

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

Zoning Ordinance Conformance

The proposed additions will comply with all standards of development associated with the RS-8 zoning district as follows:

Evidence: The applicant has incorporated design features and architectural styles of the existing structure such as wood railing, plaster siding, panel garage door with transom windows to have a contextual relationship with the existing neighborhood. As a result of the grade for the garage located slightly above the street, the view of persons on the roof deck would be minimized from both the pedestrian viewpoint and vehicles. The project plans for the residence have been designed to respect the existing residential patterns and scale in the neighborhood.

Setbacks

Front – 15 feet required - 27 feet proposed

Side - 5 feet required - 5 feet on proposed on east side and 22 feet on west side will remain

Rear – 15 feet required – 83 feet proposed

Floor Area Ratio

45% allowed – 22.7% proposed

Lot Coverage

65% allowed – 45.3% proposed

Off-Street Parking

Two-covered Parking Spaces – Two-car garage proposed to eliminate non-conforming one-car garage.

Height

24 feet – The roof line on the dwelling will measure 17 feet with the roof deck measuring 13 feet to the parapet and 15 feet to the top rail.

Finding 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 exterior stairway has been designed to be screened from the public view and the adjoining properties. The height and scale of the roof deck is compatible with the existing building and adjacent buildings.

Finding 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-8 zoning district. Access to the roof deck will be provided by an exterior stairway. Extension of public utilities is not required for the proposed project. The completion of the exterior stairway will not alter the location of existing utilities or access to the roof deck from the ground level.

Finding 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 no comments regarding the proposed addition.

ATTACHMENTS

1. Attachment 1 - Draft Resolution
-

2. Attachment 1 - Exhibit A
 3. Attachment 2 - Location Map
 4. Attachment 3 - Site Photos
-

RESOLUTION NO. 19-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE, STATE OF CALIFORNIA, APPROVING A USE PERMIT TO ALLOW THE CONSTRUCTION OF AN UNENCLOSED EXTERIOR STAIRWAY LEADING TO A ROOF DECK AT 1565 ORD GROVE AVENUE IN THE SINGLE-FAMILY RESIDENTIAL (RS-8) ZONING DISTRICT.

WHEREAS, Clay and Lisa Mathews, property owners, have applied for a use permit to:

- A. Permit the construction of an unenclosed exterior stairway leading to a 480 square foot roof deck above an attached two-car garage on an existing single family residence.

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 held on May 22, 2019, and

WHEREAS, the project is Categorically Exempt, Class 1, Section 15301(e)(1) from the California Environmental Quality Act Guidelines.

Evidence: The proposed roof deck would consist of an accessory use to the single family that would not have any impact on the environment or materially affect the use and/or mass of the dwelling. The proposed modification would be exempt from CEQA review.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission adopts the following findings for Use Permit Application No. UP-19-10:

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

Evidence: In accordance with SMC Section 17.12.050, Table 2-3, Development Feature, Height limit, Note (6) states that exterior stairways that would lead to a second floor or roof deck are permitted with the issuance of a Use Permit

- (1) An attached exterior stairway must maintain a minimum 15-foot setback from the front property line. (Section 17.14.050, Table 2-3, Residential Zone Development Standards)

Evidence: The stairway will maintain a 5-foot setback from the east side property line. The stairway is in compliance with required maximum allowed projections.

Evidence: The applicant has incorporated design features and architectural styles of the existing structure such as wood railing, plaster siding, panel garage door with transom windows to have a contextual relationship with the existing neighborhood. As a result of the grade for the garage located slightly above the street, the view of persons on the roof deck would be minimized from both the pedestrian viewpoint and vehicles. The project plans for the residence have been designed to respect the existing residential patterns and scale in the neighborhood.

Setbacks

Front – 15 feet required - 27 feet proposed

Side - 5 feet required - 9 feet on proposed on east side and 22 feet on west side will remain

Rear – 15 feet required – 52 feet proposed

Floor Area Ratio

45% allowed – 22.7% proposed

Lot Coverage

65% allowed – 45.3% proposed

Off-Street Parking

Two-covered Parking Spaces – Two-car garage proposed to eliminate non-conforming one-car garage.

Height

24 feet – The roof line on the dwelling will measure 17 feet with the roof deck measuring 13 feet to the parapet and 15 feet to the top rail.

Maximum allowed projection for an exterior stairway from a side property line is three feet (Section 17.30.100.E, Table 3-5 –Allowed Architectural Projections) - The proposed stairway will maintain a 9-foot setback from the east side property line.

An uncovered deck on a roof or second story must maintain a minimum five-foot from a side property line and with an allowed projection of three feet into a required 15-foot front yard setback. The stairway leading to the roof deck above the garage is maintaining a 9-foot setback from the eastern side property line.

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 Low Density Single-Family Residential. This land use classification is intended for existing or planned detached single-family residential units, including exterior stairways. The project would be consistent with the following General Plan Goals and Policies:

Land Use Element

Goal UD-3: Provide and maintain a streetscape system that protects views and enhances the visual quality and continuity within the community.

Policy UD-3.1: Protect private views of significant natural features, such as the Monterey Bay, Roberts Lake, the Pacific Ocean, the surrounding mountains, and other important viewsheds.

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 project proposal is compatible with the overall design and scale of surrounding residential land uses. The placement of an exterior stairway on the east side elevation of a two-car garage leading to the roof deck above garage will not detract from the character of the neighborhood in that stairway would be screened from public view on Ord Grove Avenue and would have a solid screen on the staircase facing the adjoining single family dwelling to the east. Furthermore, the modifications to raise the height of the existing roof line and the addition of the front covered porch on the main dwelling will serve to blend the mass and height of the new garage/roof deck into existing dwelling and minimize the appearance of a unbalanced pop-up appearance over one side of the dwelling.

Single-Family Residential Design Guidelines

The proposed rooftop deck and addition of the garage and front porch will provide breaks in the roofline to provide interest and break-up of the massing. The following Single-Family Residential Design Guidelines support this proposed modification:

Architectural elements should be designed to eliminate the appearance of box-like buildings,” (II.A.iii.) and, “Avoid box-like appearance through variation in the roofline and building elevations” (III.C.iv.)

The visual impact of the proposed rooftop deck is relevant to design review based on the following Single-Family Residential Design Guidelines item: “Secondary Story or Roof

Decks should use appropriate screening measures to reduce privacy invasion (i.e., solid railing walls, latticework and landscaping)” (II.B.ii.c)

Evidence: The neighborhood has a variety of architectural styles and colors, with ranch and mid-century modern as the predominant architectural styles. The project plans for the residence have been designed to respect the existing residential patterns and scale in the neighborhood.

Evidence: Due to a grade differential between the uphill adjacent residences to the east and the project site, staff finds that the proposed rooftop deck will not significantly impact the viewshed of the adjacent properties.

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 exterior stairway is an accessory use to the main dwelling and therefore does not alter the operating characteristics of the dwelling or enjoyment of the other properties in the 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 contains adequate area for the stairway. The project site is served by existing water, wastewater, and electrical infrastructure and facilities with adequate capacity to serve the proposed project.

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

Evidence: The proposed project is located in the Single-Family Residential (RS-8) zone and is compatible with the existing and planned future single-family residential land uses in the vicinity. The proposed stairway is consistent with the maximum side yard and front yard projections and height limitations allowed by the Zoning Code with a use permit, and does not create significant noise or privacy impacts 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.

NOW THEREFORE, BE IT FURTHER RESOLVED, that the Planning Commission approves Use Permit Application No. UP-19-10 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 plans identified as “Exterior Stair to Roof Deck” stamped as received on May 6, 2019, and approved on May 22, 2019. The use permit is

approved to allow an exterior stairway in accordance with the project plans provided as Attachment 1.

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. Board of Architectural Review approval shall be received prior to the issuance of a Building Permit for the exterior stairway. The existing Holly tree being removed shall be replaced with three 15-gallon trees of a species approved by the Board of Architectural Review.

Fire Department:

1. Prior to the issuance of a Certificate of Occupancy, applicant shall comply with the requirements of the Seaside Fire Marshall for compliance with the 2016 California Building and Fire Code.

Building Department:

2. Projects must comply with the 2016 California Code of Regulations, Title 24, and California Law in effect at the time of the plan submittal.

Standard:

1. Use Permit approval is subject to revocation procedures contained in SMC 17.80.060 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.
2. This Use Permit is subject to procedures and requirements of Chapter 17.64 (Permit Implementation, Time Limits, and Extensions), and those related to appeals and revocation in Article 6 (Zoning Ordinance Administration) of Title 17 of the Seaside Municipal Code.
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. Any proposed future development shall comply with the requirements of the Fire, Health, Planning, Code Enforcement, Building and Public Works Departments.

5. The project shall comply with the requirements and the applicable ordinances of the Monterey Peninsula Water Management District (MPWMD).
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. 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.
8. 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 construction within the required time limit or the Zoning Administrator has granted an extension of time. In accordance with Section 17.64.080.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.
9. For purposes of assuring compliance, the applicant, agents, representatives or their assignees agree not to deny or impede access to the subject property by City employees in the performance of their duties.

PASSED AND ADOPTED at the regular meeting of the Planning Commission of the City of Seaside, State of California, on the 22nd day of May, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

John Owens, Chairperson

ATTEST:

Planning Commission Secretary

RESOLUTION No. 19-XX
USE PERMIT APPLICATION NO. UP-19-10

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

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

Applicant's Signature

Date

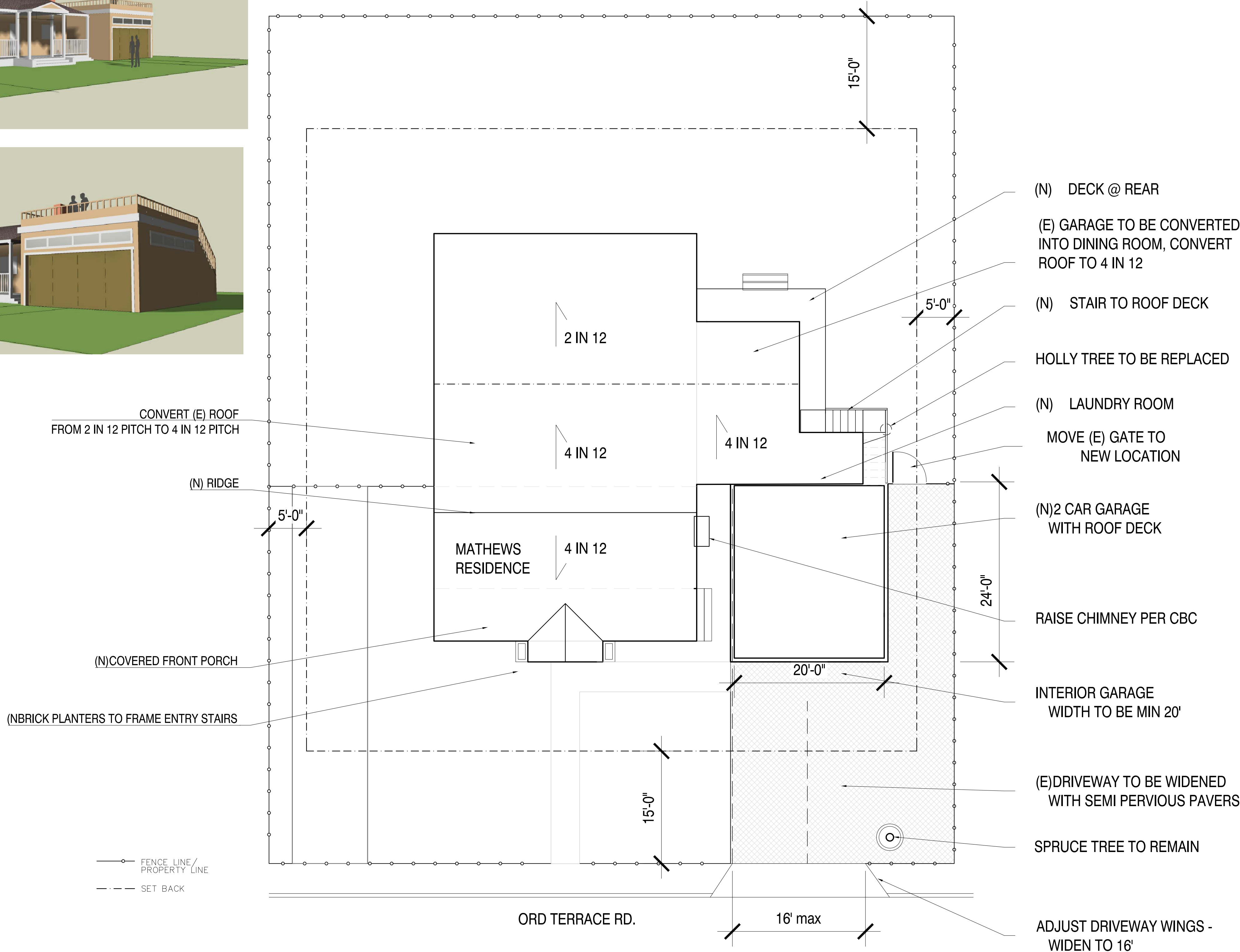
Property Owner's Signature (*if different from above*)

Date

Use of these plans and specifications shall be restricted to the original date for which they were prepared and publication thereof is expressly limited to such use. Reproduction or publication for any purpose, in whole or in part, is prohibited. Title to the plans and specifications remains with the architect without prejudice. Visual content on these plans and specifications shall constitute prima facie evidence of the acceptance of these conditions.



PROPOSED FRONT
VIEW FROM CITY
SIDEWALK



PROJECT DATA

OWNER	CLAY & LISA MATHEWS 1565 ORD GROVE AVE. SEASIDE CA. 93955
ARCHITECT	THOMAS RETTENWENDER, ARCHITECT LIC # C31723 PO BOX 6451, CARMEL-BY-THE SEA, CA 93921 E-MAIL: THOMAS@ECOLOGICDESIGNLAB.COM PHONE: 831-920-8333

PROJECT ADDRESS 1565 ORD GROVE AVE. SEASIDE CA. 93955

LOT AREA 8712 S F

SITE COVERAGE ALLOWED 65% = 5662 SF
PROPOSED = 4549 SF

FLOOR AREA	EXISTING RESIDENCE	1656
	EXISTING GARAGE	293
	PROPOSED MAIN HOUSE	2034
	PROPOSED GARAGE	480

SCOPE OF WORK

1. ADD 2 CAR GARAGE WITH ROOF DECK (539 SF)
2. CONVERT (E) 270SF GARAGE INTO DINING ROOM
3. ADD 55 SF LAUNDRY ROOM
3. REPLACE '2 IN 12' ROOF WITH 4 IN 12 ROOF
4. ADD 200 SF COVERED FRONT PORCH

DRAWING LIST

- A-0 COVER SHEET AND SITE PLAN
- A-1 EXISTING FLOOR PLAN & ELEVATIONS
- A-2 PROPOSED FLOORPLAN
- A-3 PROPOSED ELEVATIONS
- A-4 PROPOSED ELEVATIONS

NOTES

THE APPROVAL OF THESE PLANS AND SPECIFICATIONS DOES NOT PERMIT THE VIOLATION OF ANY SECTION OF THE BUILDING CODE, MUNICIPAL ORDINANCES, OR STATE LAWS

A. GENERAL

1. APPLICABLE CODES. ALL PROJECTS SHALL COMPLY WITH THE 2016 CALIFORNIA BUILDING CODE (CBC) AND/OR CALIFORNIA RESIDENTIAL CODE (CRC), 2016 CALIFORNIA GREEN BUILDING STANDARDS CODE (CALGREEN), 2016 CALIFORNIA ELECTRICAL CODE (CEC), 2016 CALIFORNIA MECHANICAL CODE (CMC), 2016 CALIFORNIA PLUMBING CODE (CPC), 2016 CALIFORNIA FIRE CODE (CFC), 2016 CALIFORNIA BUILDING ENERGY EFFICIENCY STANDARDS (CBEES)

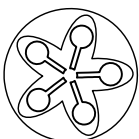
VICINITY MAP



DATE MAY/06/2019	TITLE COVER PAGE AND SITE PLAN
SCALE NTS	
DRAWN BY TR, LPG	
JOB NUMBER # 1833	

MATHEWS RESIDENCE REMODEL

1565 ORD GROVE AVE. SEASIDE CA. 93955



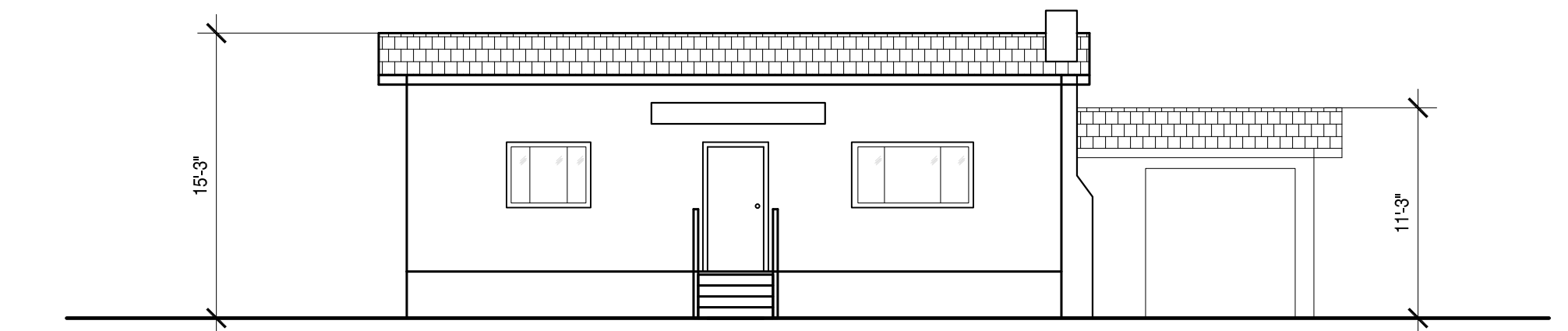
Ecologic Architects

Thomas Rettenwender, Architect
Post Office Box 6451 Carmel-by-the-Sea CA 93921 USA
(831) 920 8333
thomas@ecologicdesignlab.com

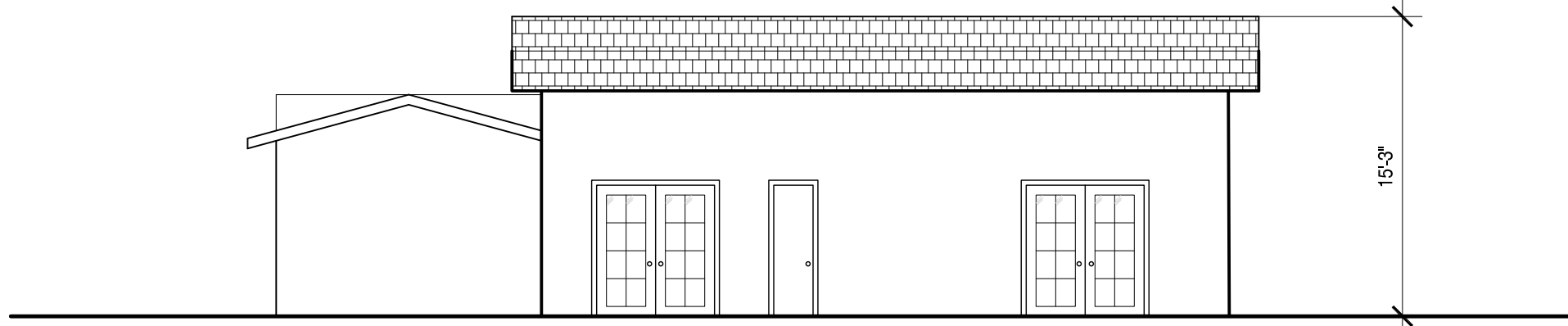
SHEET

A-0

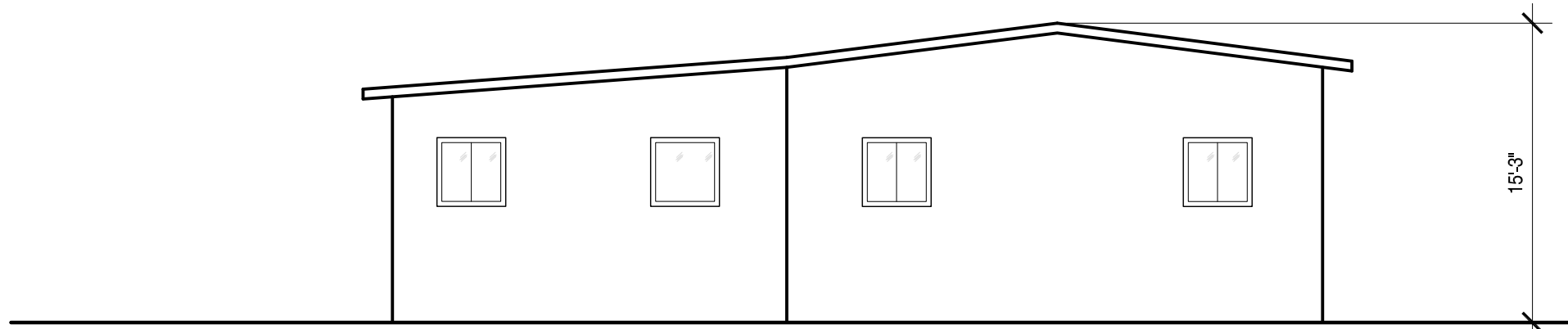
Use of these plans and specifications shall be restricted to the original date for which they were prepared and publication thereof is expressly limited to such use. Reproduction or publication for any purpose in whole or in part is prohibited. This to the plans and specifications remains with the architect without prejudice. Visual content on these plans and specifications shall constitute prima facie evidence of the existence of these conditions.



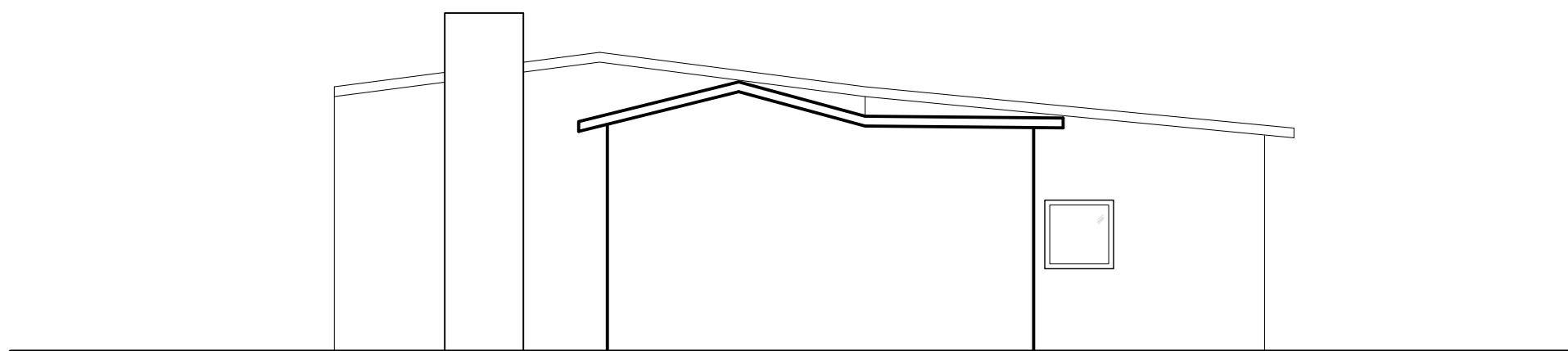
SOUTH



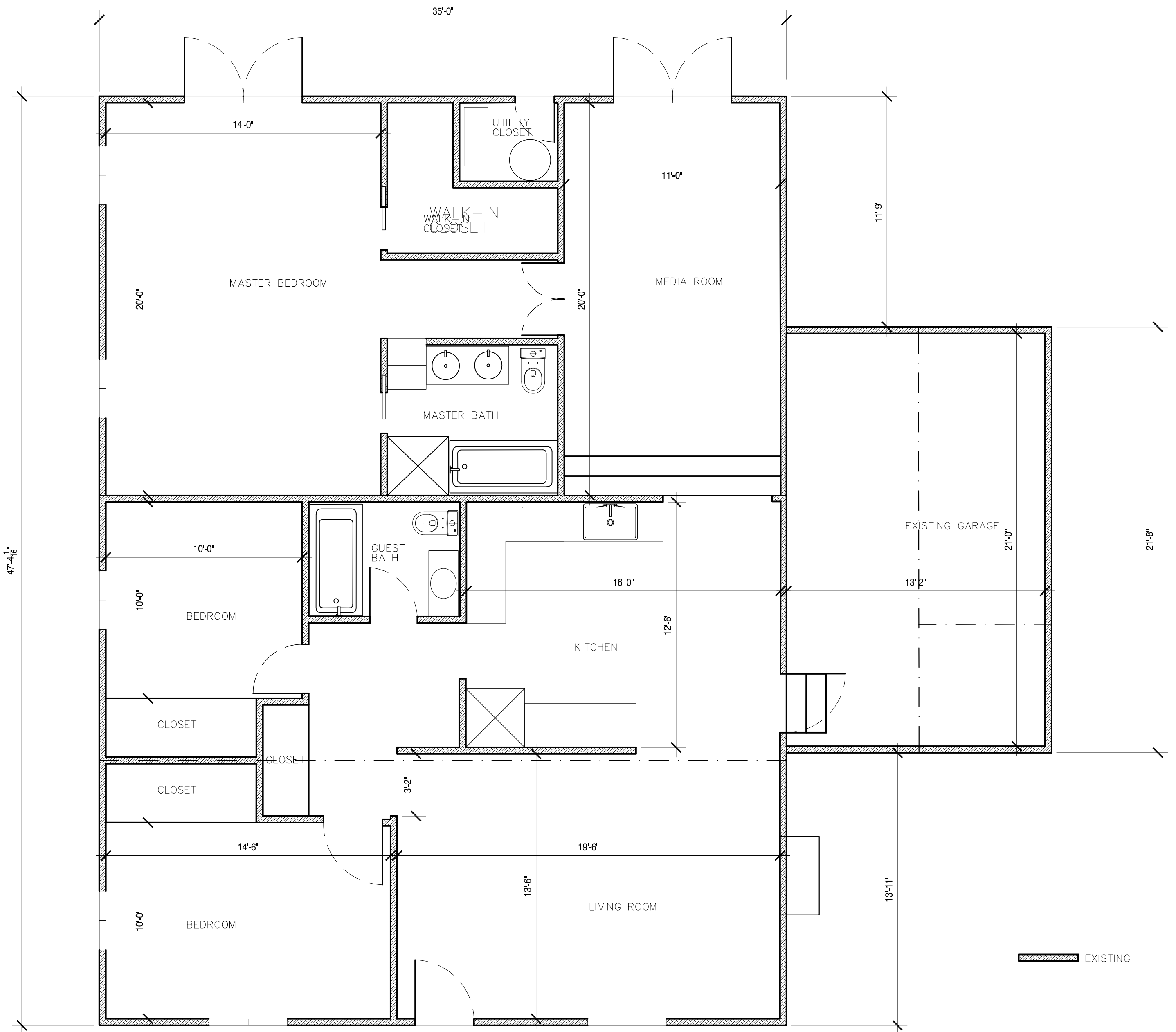
WEST



NORTH



EAST

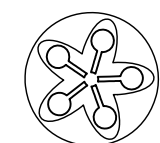


DATE	MAY/06/2019
SCALE	1/8" = 1'-0"
DRAWN BY	TR. LPG
JOB NUMBER	# 1833

TITLE
EXISTING FLOORPLAN AND ELEVATIONS

MATHEWS RESIDENCE REMODEL

1565 ORD GROVE AVE. SEASIDE CA. 93955



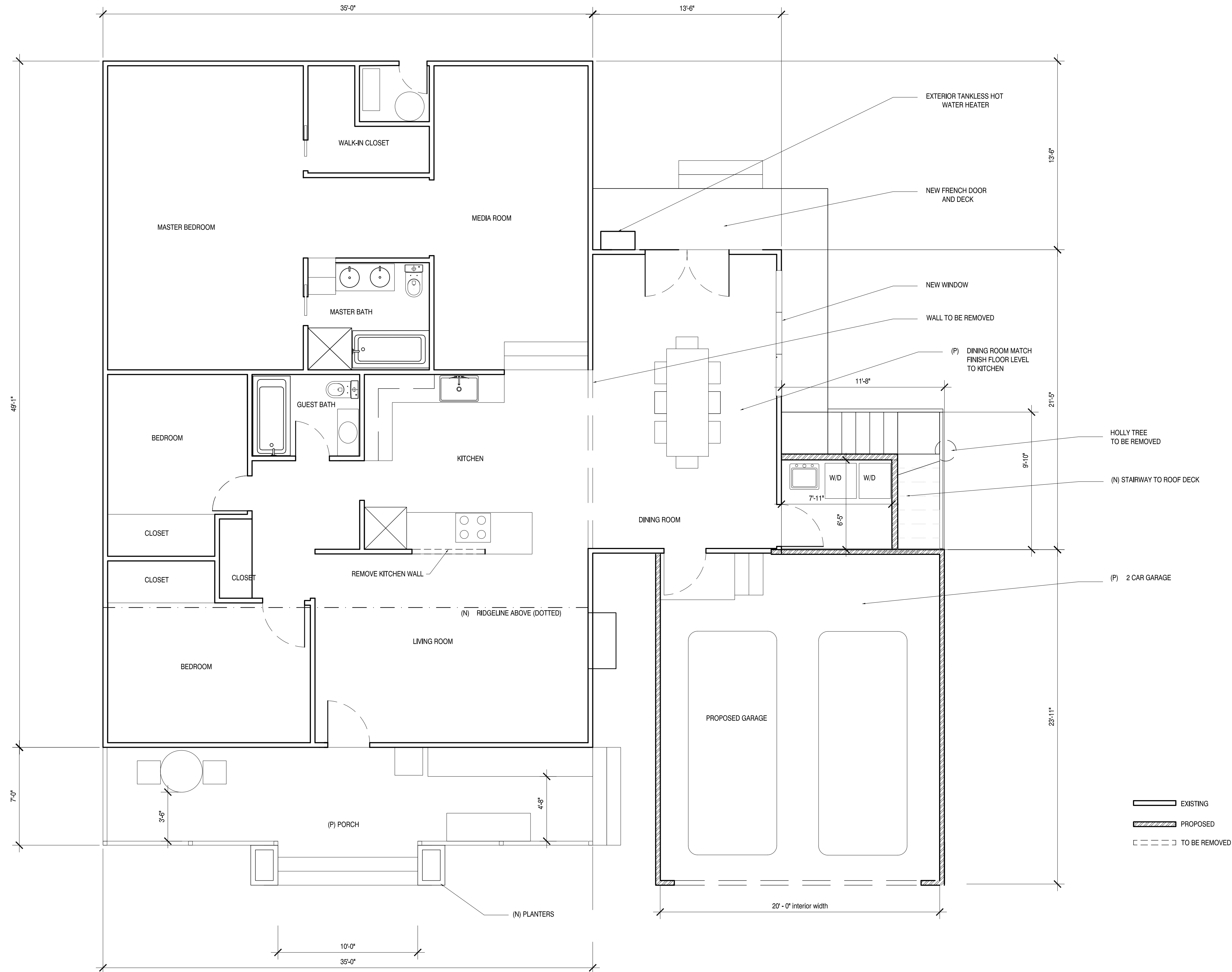
Ecologic Architects

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thomas@ecologicdesignlab.com

SHEET

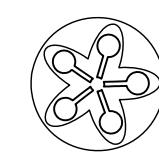
A-1

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DATE	MAY/06/2019
SCALE	1/4" = 1'-0"
DRAWN BY	TR, LPG
JOB NUMBER	# 1833

TITLE	PROPOSED FLOORPLAN
MATHEWS RESIDENCE REMODEL	
1565 ORD GROVE AVE. SEASIDE CA. 93955	



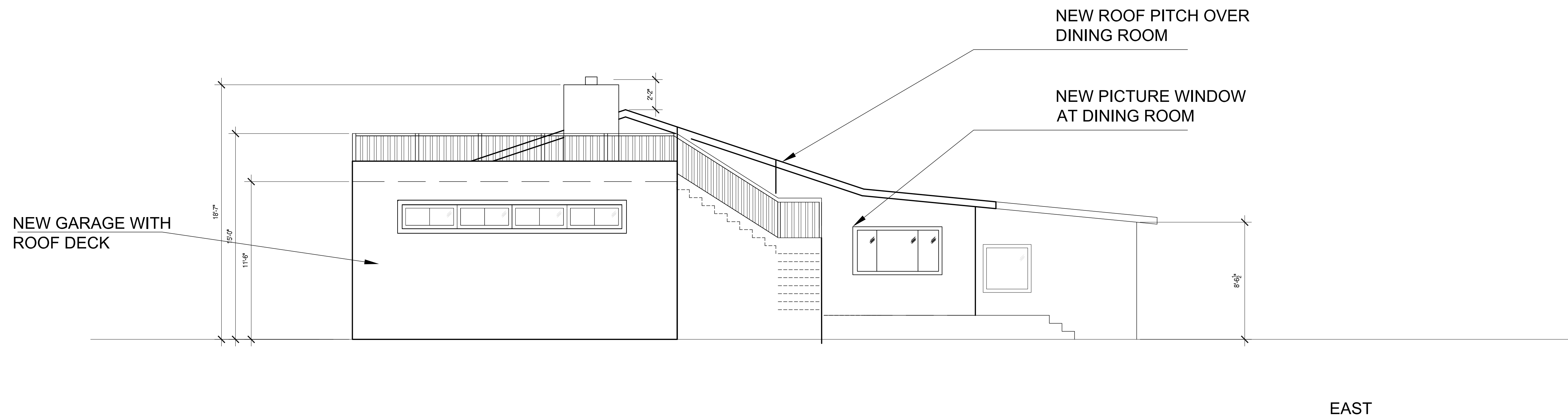
Ecologic Architects

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thomas@ecologicdesignlab.com

SHEET

A-2

Use of these plans and specifications shall be restricted to the original date for which they were prepared and publication thereof is expressly limited to such use. Reproduction or publication by any method in whole or in part is prohibited. This to the plans and specifications remains with the architect without prejudice. Visual content on these plans and specifications shall constitute prima facie evidence of the acceptance of these conditions.



DATE	MAY/06/2019
SCALE	NTS
DRAWN BY	TR, LPG
JOB NUMBER	# 1833

TITLE
PROPOSED ELEVATIONS

MATHEWS RESIDENCE REMODEL

1565 ORD GROVE AVE. SEASIDE CA. 93955



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SHEET

A-3

Use of these plans and specifications shall be restricted to the original date for which they were prepared and publication thereof is expressly limited to such use. Reproduction or publication by any method in whole or in part is prohibited. Title to the plans and specifications remains with the architect without prejudice. Visual content on these plans and specifications shall constitute prima facie evidence of the existence of these restrictions.

NEW FRENCH
DOORS TO DINING
ROOM

NEW GARAGE AND
STAIR TO ROOF
DECK

15'-0"

11'-6"

16'-8"

NORTH

NEW ROOF PITCH

NEW FRONT PATIO

10'-6"

11'-6"

14'-1 1/8"

16'-8"

WEST



DATE
MAY/06/2019

SCALE
NTS

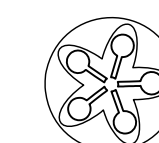
DRAWN BY
TR, LPG

JOB NUMBER
1833

TITLE
PROPOSED ELEVATIONS

MATHEWS RESIDENCE REMODEL

1565 ORD GROVE AVE. SEASIDE CA. 93955



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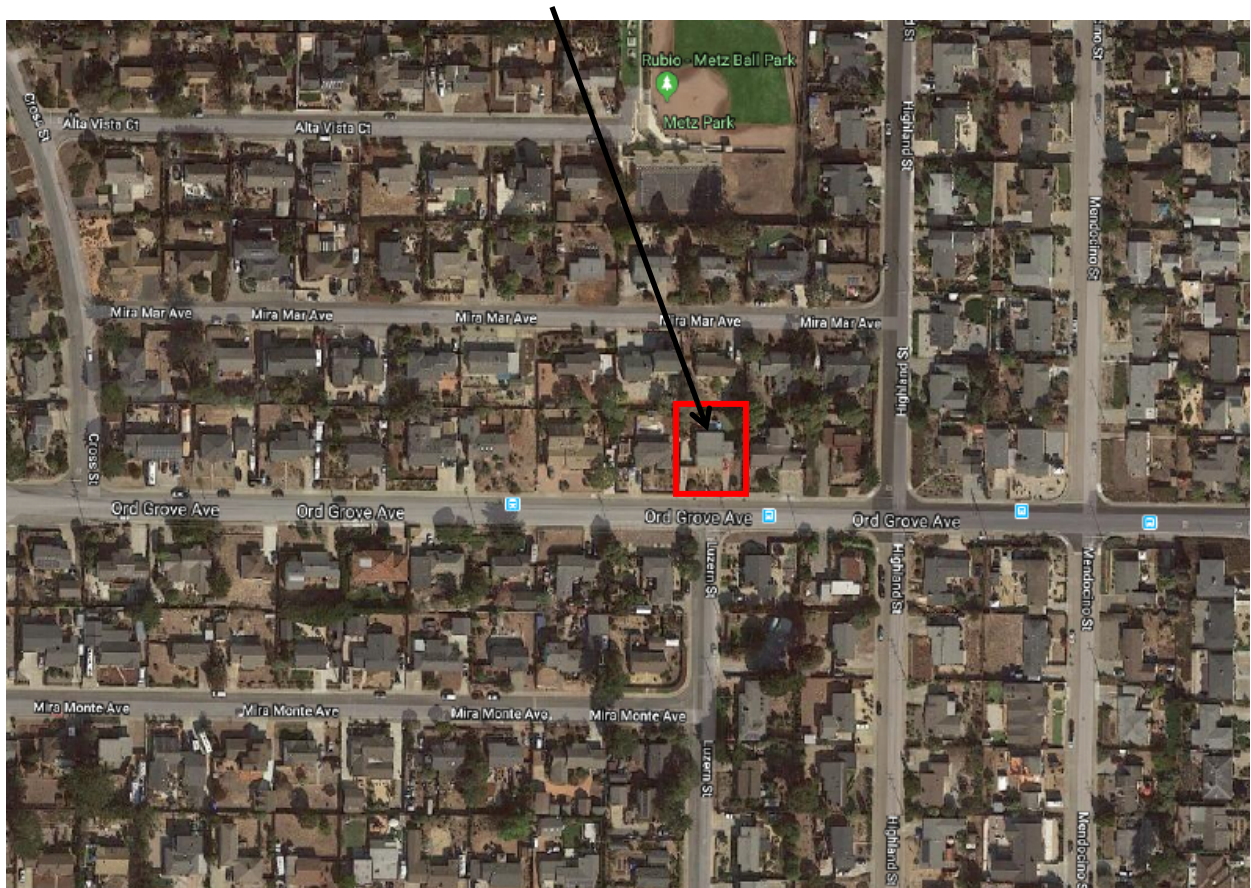
SHEET

A-4

Attachment 2

Location Map

Prokect Site: 1565 Ord Grove Avenue



Attachment 3 – Site Photos

1565 Ord Grove Ave



Location of new garage





Location of new garage





Side yard view from subject property to residence on the east.



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 7.C.

TO: Planning Commission

BY: Gloria Stearns, Community Development Manager
Rick Medina, Senior Planner

DATE: May 22, 2019

SUBJECT: USE PERMIT APPLICATION NO. UP-19-11: ISLAMIC SOCIETY OF MONTEREY, PROPERTY OWNER, AND AGHA BILAL, APPLICANT, ARE REQUESTING APPROVAL OF A 168 SQUARE FOOT GAZEBO THAT WILL BE SITED WITHIN THE FRONT YARD OF AN EXISTING RELIGIOUS MEETING PLACE LOCATED AT 405 ELM AVENUE IN THE MEDIUM DENSITY (RM) RESIDENTIAL ZONING DISTRICT (APN # 011-305-016). THE PROJECT IS CATEGORICALLY EXEMPT CLASS 3 SECTION 15303(E) FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PURPOSE & RECOMMENDATION

In accordance with Section 17.12.030.C - Table 2-1 (Specific Use Regulations), an addition and/or modification to a meeting place facility located within a Medium Density Residential zoning district is subject to the review and approval of the use permit.

BACKGROUND

The project site is developed with a 1,916 square foot church facility. The applicant is proposing to add a covered pre-manufactured 168 square-foot gazebo in front of the church to provide a place to conduct outside activities related to church programs and activities. The existing church building was constructed with zero setbacks on the rear alley and west street side and a limited setback of six feet on the east side which limits the area where an outside structure could be located. The church building is setback 28 feet and 40 feet from the property line. The front yard is elevated approximately four feet above the sidewalk and is enclosed with a six-foot rod iron fence on the front and street side of the site.

SITE LOCATION AND DESCRIPTION

The subject parcel is 4,000 square feet in area and is located on the northeast corner of Elm Street and Imperial Avenue (see Attachment 2). The adjacent land uses consist of a former grocery store and parking lot to the west, a church and Salvation Army multifamily housing to the south, a single family dwelling to the west and multi-family apartment structure to the north. Site Photographs are provided as Attachment 3.

ENVIRONMENTAL REVIEW

This project is exempt from the California Environmental Quality Act pursuant to a Class 3, Section 15303(e) categorical exemption. Class 3 exemptions consist of construction and location of limited numbers of small facilities or accessory structures. The proposed project consists of the construction of a 168 square-foot freestanding gazebo structure.

Evidence: The proposed project consists of the construction of a freestanding 168 square-foot gazebo structure adjacent to an existing church structure.

PROJECT DESCRIPTION

The project will consist of the assembly and installation of a pre-manufactured 14'-0" x 12'-0" cedar frame gazebo with a copper roof on site. The cedar framing will be stained to blend with the light brown/beige color of the church building. The gazebo would be located on top of an existing concrete patio on the right side of the front entry stairway to the church. No modifications to the existing church or site work. The project plans and elevations are provided as Attachment 1 – Exhibit A.

FINDINGS AND STAFF ANALYSIS

Use Permit Findings

In accordance with SMC, Section 17.62.070, an application for a Use Permit shall be considered by the Planning Commission to determine whether the following findings can be made concerning the proposed project:

Finding 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.

Zoning Ordinance Conformance

This project is located within the RM (Medium Density Residential) Zoning District in which an ancillary use to a private school is permitted with use permit approval (SMC

Section 17.12.030.C, Table 2-1).

Evidence:

The proposed project is consistent with the development standards of the RM Zoning District. The primary use of the site is for a meeting facility (Church). The construction of a gazebo will enhance the operation of the church by providing an outdoor use which will be ancillary to the church and will not conflict with the primary use or surrounding residential neighborhood.

Finding 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 RM (Medium Density Residential). The land use classification is intended to include for single family attached and detached units, including duplexes and triplexes at densities up to 15 units per acre. The proposed project would be utilized in conjunction with an existing church that is allowed as a conditional use in a residential land use category. The proposed project is consistent with the following General Plan Goals and Policies.

Land Use Element

Goal LU-11: Cooperate with local school districts and other educational organizations to ensure that a level of public education is provided that meets the community's educational needs

Policy LU-11.1: Consider impacts of proposed projects on school enrollment and facilities.

Evidence: Approval of a gazebo on the church site would provide for accommodation of existing and future minor ancillary uses on the church site.

Finding 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:

Design

The proposed design of the gazebo would be of a contemporary style with exterior cedar wood siding cooper to match the adjacent structures and the existing design of the church building.

Location

The proposed gazebo would be located immediately to the east of the entry to the church and will be consistent with the existing outdoor walkway and congregation areas of the church.

Size

The proposed gazebo will be approximately 9 feet in height with a footprint each of approximately 168 square feet. The proposed dimensions are consistent with the existing scale and size of the church building and front yard area.

Operating Characteristics

The proposed gazebo would be used primarily during normal church and worship hours. These operating characteristics are consistent with the existing church land use.

Finding 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 existing church is served by existing water, wastewater, and electrical infrastructure and facilities with adequate capacity to serve the proposed project. No new services are proposed for the proposed sheds.

Finding 5

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

Evidence:

The granting of Use Permit Application No. UP-19-11 would not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other existing or future 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 Application No. UP-19-11. The proposed Use Permit complies with the goals and policies of the Seaside General Plan and applicable requirements of Title 17 of the Seaside Municipal Code.

ATTACHMENTS

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

RESOLUTION NO. 19-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SEASIDE, STATE OF CALIFORNIA, APPROVING A USE PERMIT TO ALLOW THE CONSTRUCTION OF A GAZEBO LOCATED AT 405 ELM AVENUE IN THE MEDIUM DENSITY RESIDENTIAL (RM) ZONING DISTRICT.

WHEREAS, Islamic Society of Monterey, Property Owner, and Agha Bilal, applicant (applicants and property owners) have applied for a Use Permit to allow the construction of a 168 square-foot gazebo on the Islamic Society of Monterey Church; and

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 amendment at a duly noticed public hearing at public meeting held on May 22, 2019; and

WHEREAS, the project is exempt from the California Environmental Quality Act pursuant to a Class 3, Section 15303(e) categorical exemption:

- a) *The proposed project consists of the construction of a freestanding 168 square-foot gazebo structure adjacent to an existing church structure.*

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission adopts the following findings for Use Permit Application No. UP-19-11

Finding 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.

Zoning Ordinance Conformance

This project is located within the RM (Medium Density Residential) Zoning District in which an ancillary use to a private school is permitted with use permit approval (SMC Section 17.12.030.C, Table 2-1).

Evidence: The proposed project is consistent with the development standards of the RM Zoning District. The primary use of the site is for a meeting facility (Church). The construction of a gazebo will enhance the operation of the church by providing an outdoor use which will be ancillary to the church and will not conflict with the primary use or surrounding residential neighborhood.

Finding 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 RM (Medium Density Residential). The land use classification is intended to include for single family attached and detached units, including duplexes and triplexes at densities up to 15 units per acre. The proposed project would be utilized in conjunction with an existing church that is allowed as a conditional use in a residential land use category. The proposed project is consistent with the following General Plan Goals and Policies.

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Evidence: Approval of a gazebo on the church site would provide for accommodation of existing and future minor ancillary uses on the church site.

Finding 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:

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The proposed gazebo would be used primarily during normal church and worship hours. These operating characteristics are consistent with the existing church land use.

Finding 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 existing church is served by existing water, wastewater, and electrical infrastructure and facilities with adequate capacity to serve the proposed project. No new services are proposed for the proposed sheds.

Finding 5

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

Evidence: The granting of Use Permit Application No. UP-19-11 would not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other existing or future 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-19-11 subject to the following conditions:

Specific – Public Works:

1. Post-development peak storm water runoff rates shall not exceed predevelopment rate. A pro rata share of the cost of offsite erosion sediment, and flood control improvements and/or for maintenance to the principal drainage way may be required by the city engineer to handle the increase peak runoff and/or sediment generated by the project.(SMC 15.32.170)
 - a. Applicant, to clearly show direction of storm water drainage from new or redeveloped impervious surfaces.
 - b. Drainage shall not be directed to adjacent properties.
 - c. Plans shall clearly denote, in table format, the pre-project impervious surface area, new impervious surface area created, replaced impervious surface area, and post-project impervious surface area.

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. Any proposed future development shall comply with the requirements of the Fire, Health, Planning, Code Enforcement, Building and Public Works Departments.
5. The project shall comply with all applicable fees and regulations of the Fort Ord Reuse Authority (FORA) prior to occupancy of approved use.
6. The project shall comply with the requirements and the applicable ordinances of the Marina Coast Water District (MCWD) for the installation of new water and sewer infrastructure.
7. 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.
8. 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.

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

PASSED AND ADOPTED at the regular meeting of the Planning Commission of the City of Seaside, State of California, on the May 22, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

John Owens, Chairperson

ATTEST:

Planning Commission Secretary

**USE PERMIT APPLICATION NO. UP-19-11
RESOLUTION NO. 19-XX**

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

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

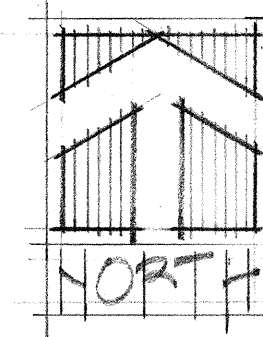
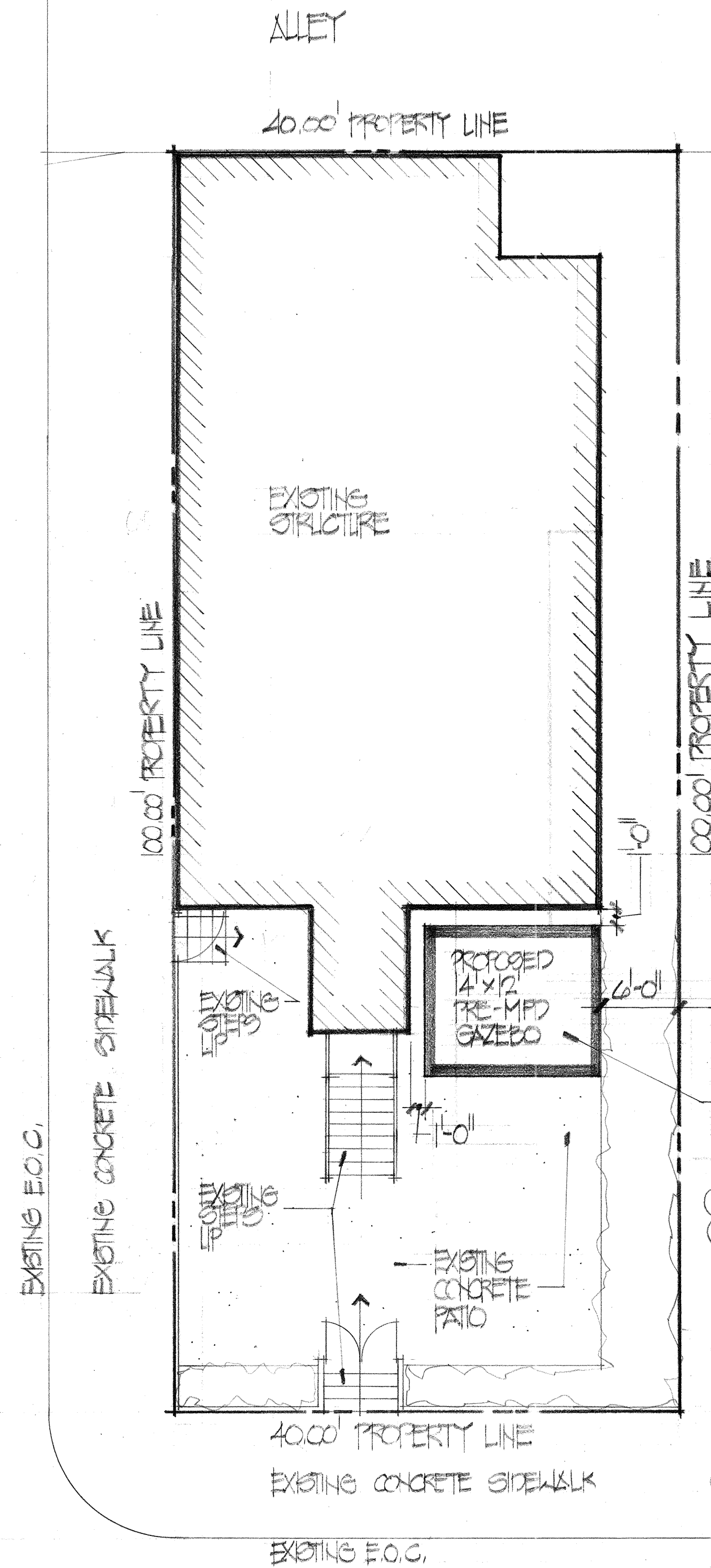
Applicant's Signature

Date

Property Owner's Signature

Date

IMPERIAL STREET



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

PLAN PREPARED FOR:
THE ISLAMIC SOCIETY OF MONTEREY COUNTY
P.O. BOX 1087
MONTEREY, CA 93942

PLAN PREPARED BY:
BILL WOLOVICH
THE WILLIAMS GROUP
211 AVIATION STREET
SHAFTER, CA 93268

SITE INFORMATION:
ADDRESS: 450 ELM AVENUE
SEASIDE, CA

APN: 011-305-016

ZONING: RM / MEDIUM DENSITY RESIDENTIAL

PROJECT DESCRIPTION:
ASSEMBLY AND INSTALLATION OF A PRE-MANUFACTURED
14'-0" x 12'-0" CEDAR FRAME GAZEBO WITH AN
ALUMINUM ROOF BY MANUFACTURER.

NO NEW CONSTRUCTION PROPOSED

NO ADDITIONAL SITE WORK PROPOSED

NO EXISTING STRUCTURE OR SITEWORK PROPOSED
TO BE REMOVED

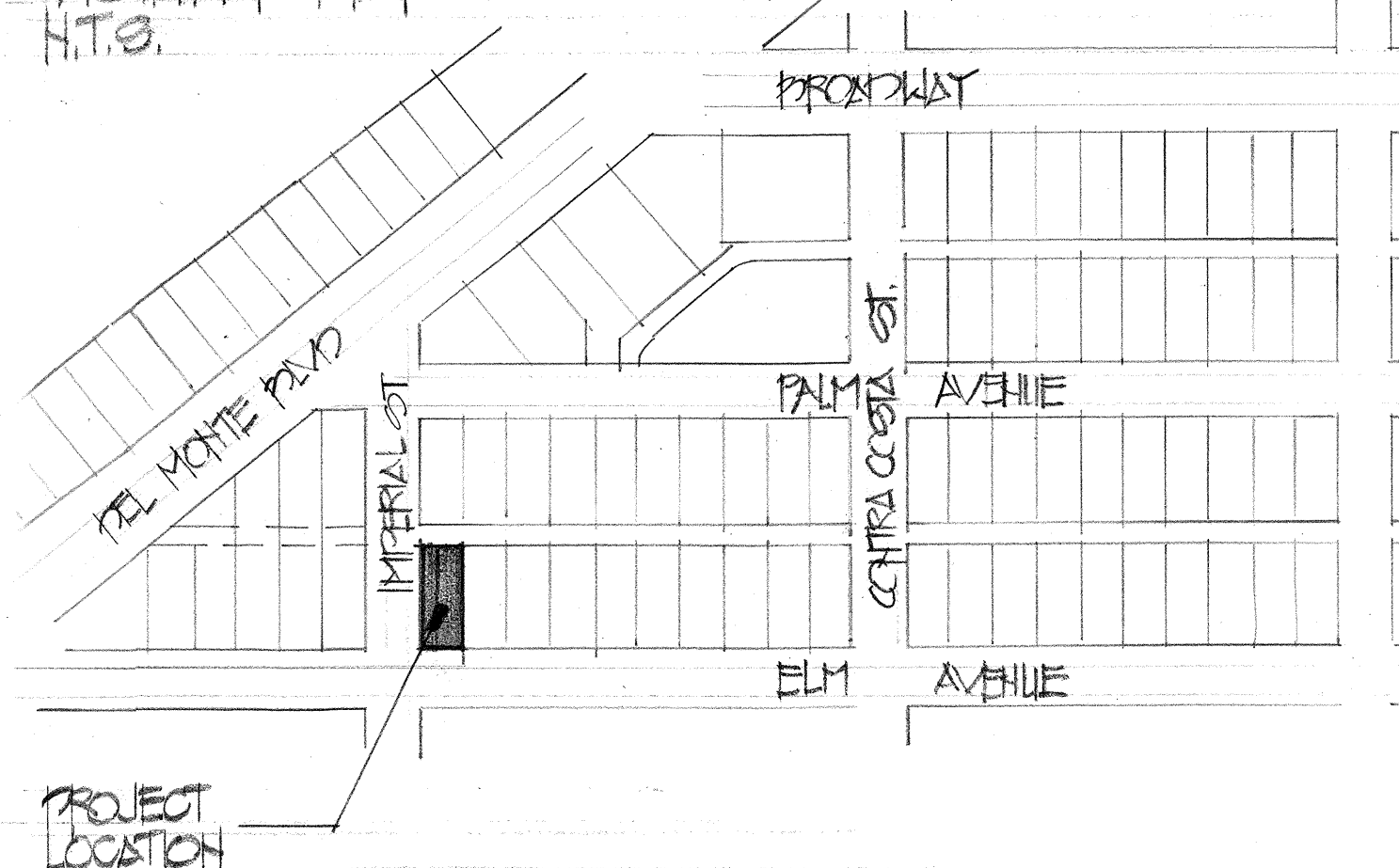
NO TREES OR PLANTS PROPOSED FOR REMOVAL

NOTE:
PAINT OR STAIN CEDAR
FRAMEWORK OF GAZEBO
TO MATCH COLOR OF
EXISTING STRUCTURE.

GAZEBO STRUCTURE IS
NOT ATTACHED TO EXISTING
PRAYER CENTER STRUCTURE
BUT IS SECURED TO PATIO
CONCRETE SLAB.

2

VIOLITY MAP
H.T.S.



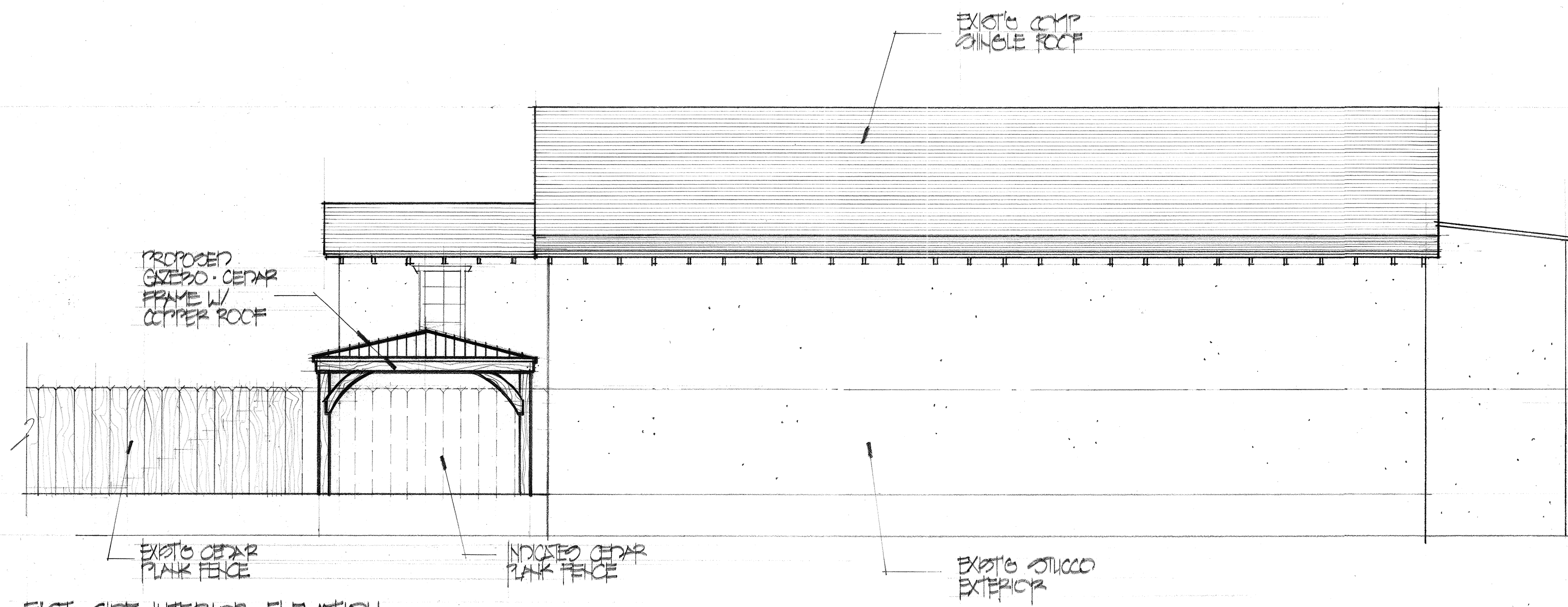
THE WILLIAMS GROUP
CONSULTING, PLANNING, DESIGN
211 AVIATION STREET, SHAFTER, CA
93268-1547

PROJECT PREPARED FOR:
THE ISLAMIC SOCIETY OF MONTEREY COUNTY
P.O. BOX 1087
MONTEREY, CA

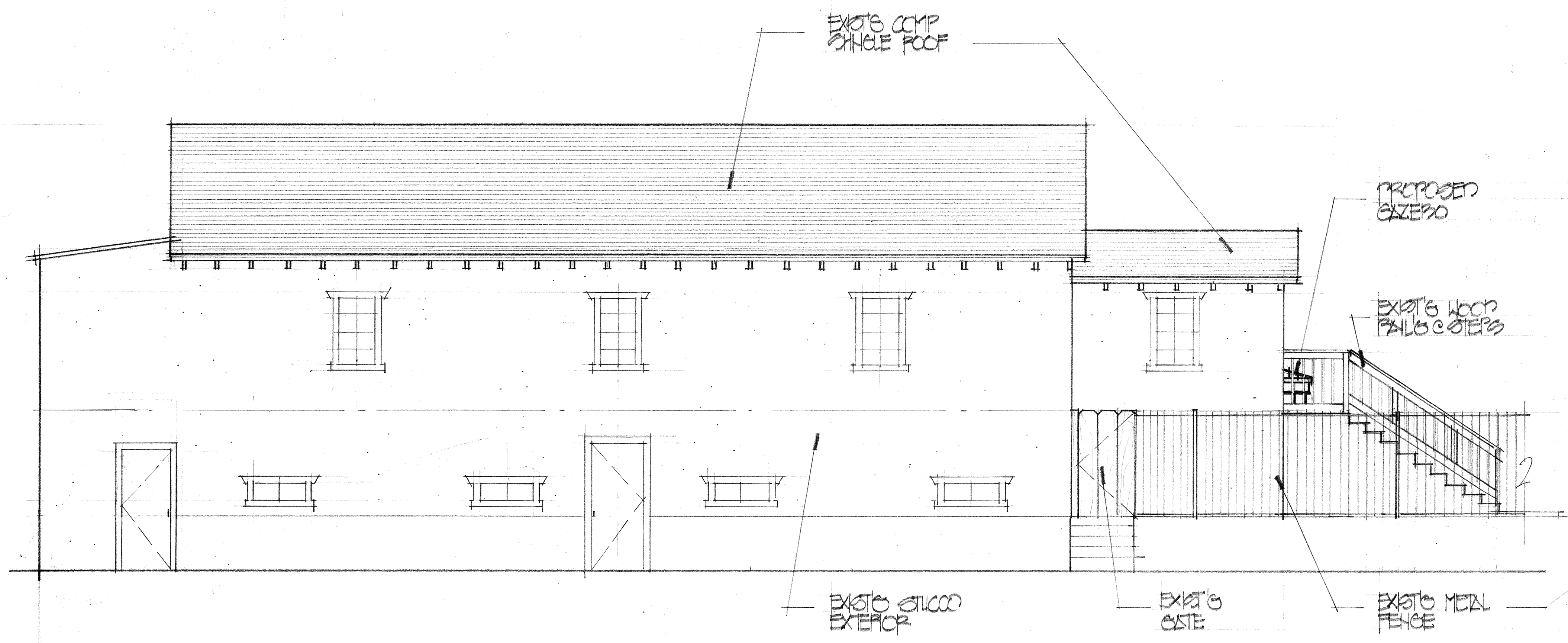
SITE PLAN

DATE: 10/19/19
BY: [Signature]
CHECKED BY: [Signature]

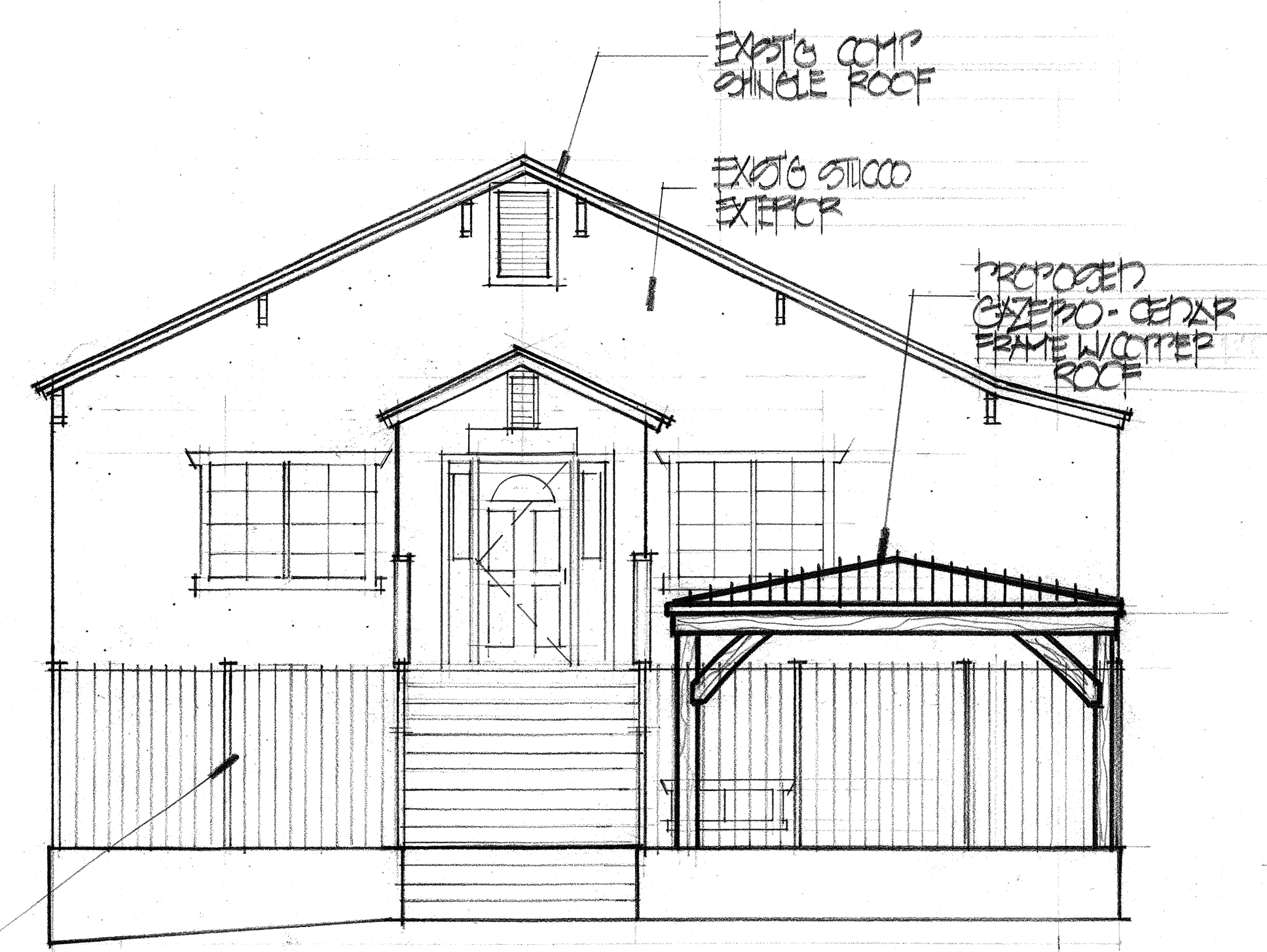
SHEET 1



EAST SIDE INTERIOR ELEVATION
SCALE 1/4" = 1'-0"



WEST SIDE INTERIOR STREET ELEVATION
SCALE 1/4" = 1'-0"

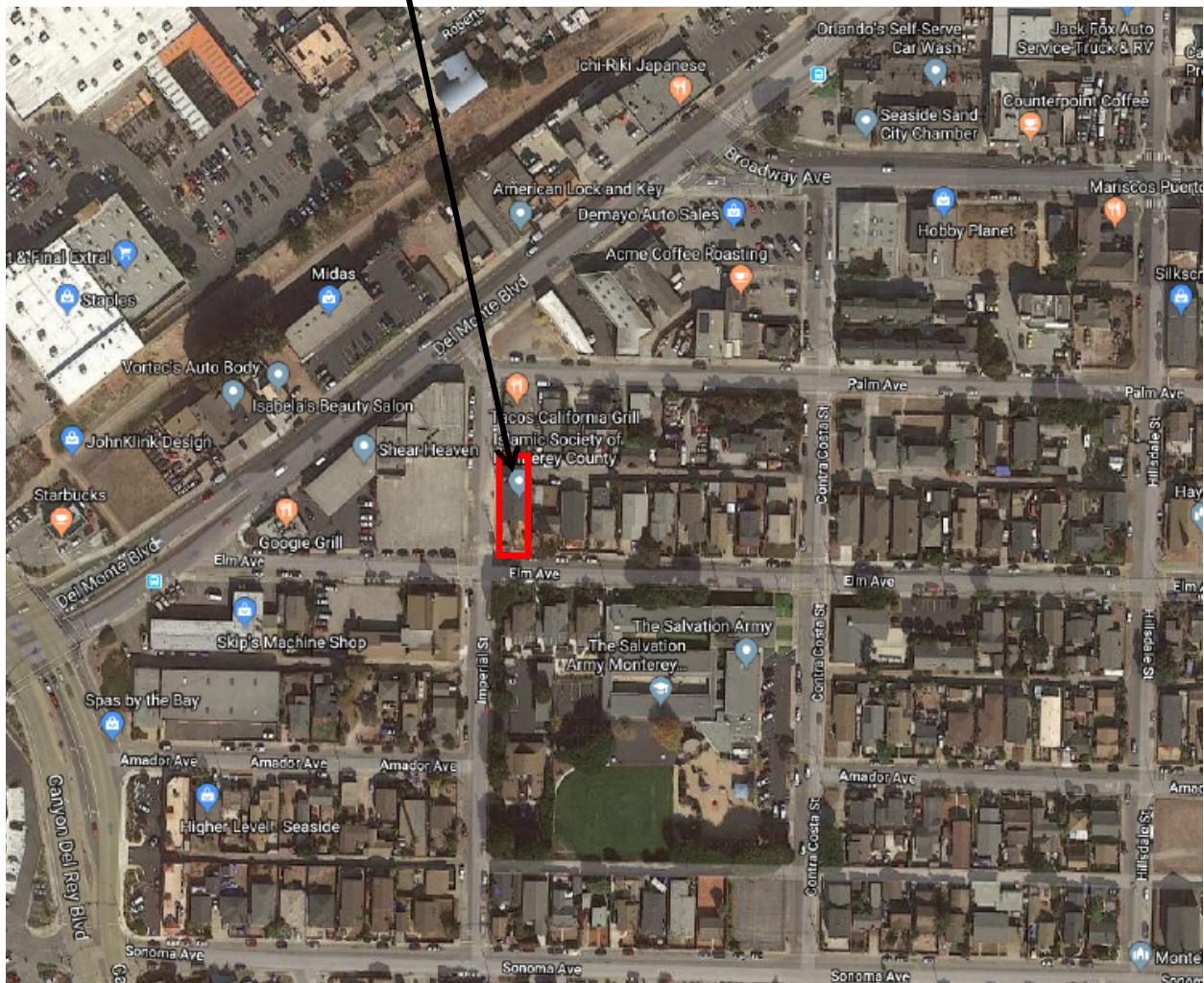


SOUTH FRONT ELM STREET ELEVATION
SCALE 1/4" = 1'-0"

Attachment 2

Location Map

Project Site: 405 Elm Avenue



Attachment 3 – Site Photos



View of front façade from Elm Street



View of street side from Imperial Avenue



View of front façade from Imperial Avenue and Elm Street