

Capitola Planning Commission

Agenda Report



Meeting: January 18, 2024
From: Community Development Department
Address: 605 Escalona Drive

Project Description: Permit #23-0374. Design Permit for first- and second-story additions with a Variance to the side yard setback on an existing single-family residence located within the R-1 (Single-Family Residential) zoning district, at APN: 036-142-12. This project is in the Coastal Zone and requires a Coastal Development Permit which is appealable to the California Coastal Commission after all possible appeals are exhausted through the City.

Recommended Action: Consider Permit #23-0374 and either approve the application as proposed or provide direction on reducing the rear massing and continue the application to a future meeting.

Property Owner: Frank Mecozzi & Jennifer Fribourgh
Representative: Valerie Hart, Filed: 8/16/23

Background: On November 15, 2023, the Development and Design Review Staff reviewed the application and provided the application with the following direction:

Public Works Representative, Erika Senyk: asked for clarification on the landscaping and site drainage.

Building Official, Eric Martin: had no comment.

Associate Planner, Sean Sesanto: noted the inclusion of privacy screening for the new deck. Mr. Sesanto discussed the structure’s non-conforming status of the structure and size of additions relative to the existing residence and noted that correction of the non-conforming garage wall or a variance may be required. Staff also requested a section be provided for the great room to assess floor area ratio. It was also recommended the project include improvements to the front landscaping.

Following the Design Review meeting, the applicant updated the plans to include a variance request for the non-conforming wall and revised the plans to include cross-sections of the great room, a front landscape plan, and a new driveway layout.

Development Standards: The following table outlines the zoning code requirements for development in the R-1 zoning district. With the approval of a Variance for the first-story side setback, the project complies with applicable development standards.

Development Standards		
Building Height		
R-1 Regulation	Existing	Proposed
25 ft.	14 ft. 1 in.	23 ft. 9 in.
Floor Area Ratio (FAR)		
	Existing	Proposed
Lot size	6,354 sq. ft.	6,354 sq. ft.
Maximum Floor Area Ratio	48% (Max 3,050 sq. ft.)	48% (Max 3,050 sq. ft.)
First Story Floor Area	1,646 sq. ft.	1,794 sq. ft. (skylights 18 sf)
Second Story Floor Area	N/A	810 sq. ft. Deck: 65 sq. ft. -65 sq. ft. Deck Exemption

Accessory Structure	438 sq. ft.		292 sq. ft.	
Total FAR	32.8% (2,084sq. ft.)		45.5% (2,896 sq. ft.)	
Setbacks				
	R-1 regulation		Existing	Proposed
Front Yard 1st Story	15 ft.		15 ft. 11 in.	15 ft. 11 in.
Front Yard 2nd Story & Garage	20 ft.		Main: N/A Garage: 21 ft. 9 in.	Main: 20 ft. Garage: 21 ft. 9 in.
Side Yard 1st Story	10% lot width	Lot width 50 ft. 5 ft. min.	North: 5 ft. 2 in. South: 4 ft. 6 in.	North: 5 ft. 2 in. South: 4 ft. 6 in. Existing Nonconforming
Side Yard 2nd Story	15% of width	Lot width 50 ft. 7 ft. 6 in. min	N/A	North: 8 ft. 1 in. South: 7 ft. 9 in.
Rear Yard 1st Story	20% of parcel depth	Lot depth 127 ft. 1 in. 25 ft. min.	49 ft. 1 in.	44 ft. 1 in.
Rear Yard 2nd Story	20% of parcel depth	Lot depth 127 ft. 1 in 25 ft. min.	N/A	74 ft. 10 in.
Parking				
2,001 – 2,600 sq. ft.: 3 per unit, 1 covered	Required	Existing	Proposed	
	3 spaces total 1 covered 2 uncovered	3 spaces total 1 covered 2 uncovered	3 spaces total 1 covered 2 uncovered	
Underground Utilities: Required with 25% increase in area				Required

Discussion: The property is located within the Depot Hill neighborhood, surrounded by one- and two-story single-family and multifamily residences. The Depot Hill neighborhood is one of the original settlement areas within Capitola and is home to many historic structures. The home at 605 Escalona is a single-story, single-family home that is not historic.

Design Permit: The remodel adds a new second story and refreshes the residence in a cottage style with its use of both vertical board and batten and shingle siding, casement windows, and steep gables. The project adds approximately one thousand square feet to the existing residence.

Design Review Criteria: When considering design permit applications, the city shall evaluate applications to ensure that they satisfy the following criteria, comply with the development standards of the zoning district, conform to policies of the general plan, the local coastal program, and any applicable specific plan, and are consistent with any other policies or guidelines the city council may adopt for this purpose. To obtain design permit approval, projects must satisfy these criteria to the extent they apply. Staff prepared analysis for the following Design Review Criteria directly applicable to the proposed project. The complete list of Design Review Criteria is included as Attachment #4.

- A. Community Character. The overall project design including site plan, height, massing, architectural style, materials, and landscaping contributes to Capitola’s unique coastal village character and distinctive sense of place.

Staff Comment: The overall project design enhances both the existing structure and surrounding landscape. Varieties of cottage architecture are commonly found throughout Capitola and complements the older architecture of Capitola and the Depot Hill neighborhood.

- B. Neighborhood Compatibility. The project is designed to respect and complement adjacent properties. The project height, massing, and intensity are compatible with the scale of nearby buildings. The project design incorporates measures to minimize traffic, parking, noise, and odor impacts on nearby residential properties.

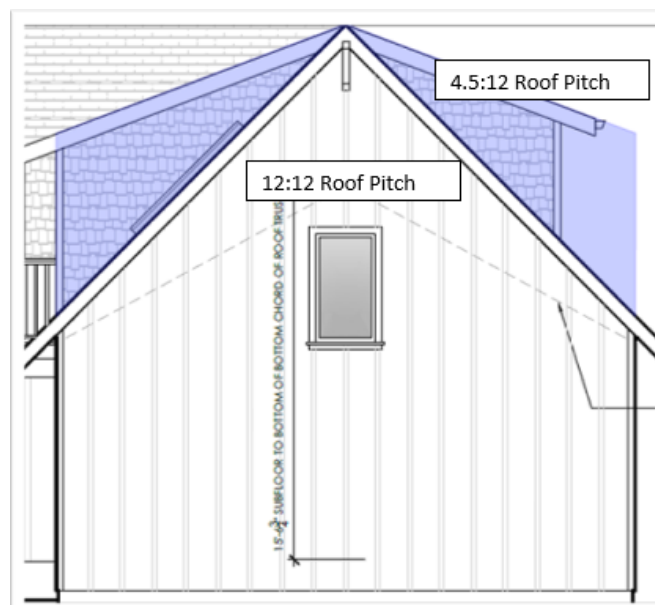
Staff Comment: The design is similar in scale to recent and existing developments in the neighborhood. The project incorporates updated landscaping and a new driveway which will enhance the streetscape while minimizing impacts to adjacent residences.

- F. Privacy. The orientation and location of buildings, entrances, windows, doors, decks, and other building features minimize privacy impacts on adjacent properties and provide adequate privacy for project occupants.

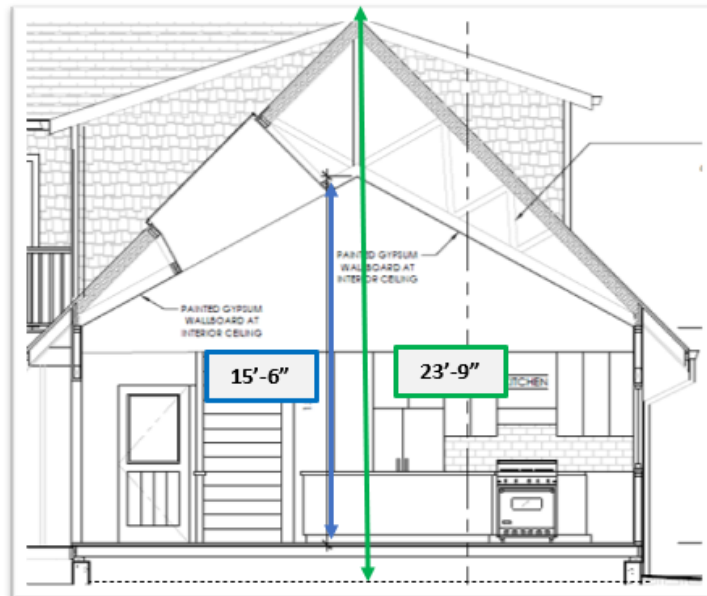
Staff Comment: The project design is consistent and compatible with adjacent properties, with upper-story massing towards the front of the lot and orients larger windows towards the front and rear yards. The project includes a second-story deck along the rear facade and has been designed to comply with the recently adopted objective standards for second-story decks within the R-1 zone, including a 10-foot side setback, projection limited to six feet from the building wall, a five foot-six-inch privacy wall along the adjacent property line, and orientation which faces away from the side property line.

- H. Massing and Scale. The massing and scale of buildings complement and respect neighboring structures and correspond to the scale of the human form. Large volumes are divided into small components through varying wall planes, heights, and setbacks. Building placement and massing avoids impacts to public views and solar access.

Staff Comment: The purpose of a maximum Floor Area Ratio (FAR) is to limit overall intensity and massing. The zoning code double-counts floor area when the interior space is has a floor-to-ceiling height greater than 16 feet in height. The rear single-story portion of the home utilizes a steep 12:12 roof pitch, which is a common feature in cottage-style architecture. Due to the steep roof and a raised foundation, the single-story area has a height of 23-feet, 9-inches, equal to the second-story section on the front of the home.



With the proposed truss design, the interior floor-to-ceiling height does not exceed 16 feet except in the areas where skylights are proposed. The floor area is only double-counted within the areas of the room with skylights.



The volume on the front of the home is broken up with smaller rooflines and wall planes. Much of the massing is located towards the front and center of the lot to reduce imposition on adjacent properties. Although the height of the rear portion of the home is as tall as a typical two-story, the steep roof pitch creates less overall upward massing than a two-story structure with the same footprint. Should the Planning Commission find its massing and scale are incompatible with the neighboring structures and neighborhood, they may consider requiring the applicant reduce the overall height of the rear addition.

- I. Architectural Style. Buildings feature an architectural style that is compatible with the surrounding built and natural environment, is an authentic implementation of appropriate established architectural styles, and reflects Capitola's unique coastal village character.

Staff Comment: The cottage-style home with board and batten and second story shingle siding is typical is compatible with the eclectic blend of architecture in the Depot Hill neighborhood.

- J. Articulation and Visual Interest. Building facades are well articulated to add visual interest, distinctiveness, and human scale. Building elements such as roofs, doors, windows, and porches are part of an integrated design and relate to the human scale. Architectural details such as trim, eaves, window boxes, and brackets contribute to the visual interest of the building.

Staff Comment: The structure provides visual interest and distinctiveness, especially from the street with a well-articulated front elevation, blend of board-and-batten and shingle siding, and staggered gables. The covered, recessed entryway with the door oriented toward the street will provide a welcoming, human scale sense of arrival.

- K. Materials. Building facades include a mix of natural, high-quality, and durable materials that are appropriate to the architectural style, enhance building articulation, and are compatible with surrounding development.

Staff Comment: The remodel consists of cement fiber board and batten siding, cement fiber exterior shingle siding, asphalt shingles, and all new windows and doors. The materials are high quality, durable, and will enhance the appearance, condition, and quality of the existing structure and complement the surrounding neighborhood.

M. Landscaping. Landscaping is an integral part of the overall project design, is appropriate to the site and structures, and enhances the surrounding area.

Staff Comment: The project removes a large stump located between the street and residence, which allows the driveway to be relocated along the southwest side of the property. The existing front landscape is overgrown and will be replaced with a variety of low-growing plants. The new landscape plan will enhance the surrounding area and the overall project.

Parking: The project is required to provide three parking spaces, one of which must be covered. The site currently provides the necessary parking but has a driveway approach that curves around a large standing tree stump. The proposal includes removal of the large stump and relocating the driveway in its place for direct vehicle access. The existing garage space will remain.

Non-Conforming Structure: The existing dwelling encroaches eight inches into the required first-story side yard setback along the south property line and is therefore considered a legal non-conforming structure. Pursuant to code section 17.92.070, structural alterations to an existing non-complying structure may not exceed 80 percent of the present fair market value of the structure. Staff estimates that the project exceeds 80 percent of the present fair market value of the structure based on the City formula. The application includes a Variance to maintain an existing first-story side setback which if granted, would no longer be subject to the limitation on alterations.

Variance: The applicant is requesting a variance for the first-story side setback of the existing garage. The angle of the existing residence is slightly offset from the lot, with the structure being closer to the southwest corner of the lot. The required minimum side setback is five feet, one inch. The existing garage is approximately four-feet, five-inches from the side property line. The requested variance reduces the side setback by eight inches at the existing garage side wall.

Pursuant to §17.128.060, the Planning Commission may grant a variance when it finds:

A. There are unique circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, that do not generally apply to other properties in the vicinity or in the same zone as the subject property.

Staff Analysis: 605 Escalona Drive has an angled front lot line which is not common throughout Capitola. Because side setbacks on four-sided lots are calculated as an average between the front and rear lot widths, required side setbacks are slightly larger due to the angle of the front property line.

B. The strict application of the zoning code requirements would deprive the subject property of privileges enjoyed by other property in the vicinity or in the same zone as the subject property.

Staff Analysis: The Depot Hill neighborhood was zoned multi-family from the time of the City Incorporating (1949) until 1979. The change to single-family zoning in 1979 altered the development standards, including setbacks, for the entire neighborhood. There are many structures in the Depot Hill neighborhood with non-conforming setbacks due to the 1979 zone change. The granting of a variance would enable the applicant to construct the proposed additions without moving the garage wall half a foot.

C. The variance is necessary to preserve a substantial property right possessed by other property in the vicinity or in the same zone as the subject property.

Staff Analysis: Several properties in the vicinity have substandard side setbacks similar to the condition found on the subject property. The granting of a variance would enable the applicant to construct the proposed additions without requiring removal of an existing nonconforming garage side wall.

D. The variance will not be materially detrimental to the public health, safety, or welfare, or be injurious to the property or improvements in the vicinity or in the same zone as the subject property.

Staff Analysis: The proposed additions will meet current development standards, including setbacks. Approval of the variance will not negatively impact the public, properties, or improvements in the vicinity or in the same zone as the subject property. The garage is located four-feet, five-inches from the side property line, allowing adequate space during an emergency for access around the home.

- E. The variance does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity or in the same zone as the subject property.

Staff Analysis: Two properties along the south side of Escalona Drive have substandard setbacks. Substandard side setbacks are more common on the north side of Escalona Drive, where the average lot widths are narrow. Many properties on the north side of the street have non-conforming side setbacks. The variance acknowledges an existing garage side wall and does not constitute a grant of special privilege.

- F. The variance will not have adverse impacts on coastal resources.

Staff Analysis: The project does not impact nearby coastal resources.

CEQA: Section 15301(e)(2) of the CEQA Guidelines exempts minor alterations of existing private structures involving negligible no expansion of use, including additions to existing structures. The project expands an existing single-family dwelling with a negligible expansion of use.

Design Permit Findings:

- A. The proposed project is consistent with the general plan, local coastal program, and any applicable specific plan, area plan, or other design policies and regulations adopted by the city council.**

Community Development Staff and the Planning Commission have reviewed the project. With approval of a Variance for the first-story side setback, the proposed single-family residence complies with the applicable development standards of the R-1 (Single-Family Residential) zoning district.

- B. The proposed project complies with all applicable provisions of the zoning code and municipal code.**

Community Development Staff and the Planning Commission have reviewed the application for a single-family residence. With approval of a Variance for the first-story side setback, the proposed single-family residence will comply with, the project complies with all applicable provisions of the zoning code and municipal code.

- C. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).**

Section 15301(e)(2) of the CEQA Guidelines exempts minor alterations of existing private structures involving negligible no expansion of use, including additions to existing structures that will not result in an increase of more than 10,000 square feet, provided that (A) the project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and; (B) the area in which the project is located is not environmentally sensitive. The project involves additions to a single-family dwelling within the R-1 (Single-Family Residential) zoning district. The development is permissible in the General Plan and the project is not located in an environmentally sensitive area.

- D. The proposed development will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity.**

Community Development Staff and the Planning Commission have reviewed the project. The proposed single-family remodel will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity.

E. The proposed project complies with all applicable design review criteria in Section 17.120.070 (Design review criteria).

The Community Development Staff and the Planning Commission have reviewed the application. The proposed single-family residence complies with all applicable design review criteria in Section 17.120.070.

F. The proposed project maintains the character, scale, and development pattern of the neighborhood.

Community Development Staff and the Planning Commission have all reviewed the application for the single-family residence. The cottage theme maintains the character of the neighborhood, which has a variety of traditional architectural styles. The project complies with height standards for the zone and is similar in scale to nearby developments on Capitola Avenue.

Coastal Development Permit Findings:

A. The project is consistent with the LCP land use plan, and the LCP implementation program.

The proposed development conforms to the City's certified Local Coastal Plan (LCP) land use plan and the LCP implementation program.

B. The project maintains or enhances public views.

The proposed project is located on private property at 605 Escalona Drive. The project will not negatively impact public landmarks and/or public views.

C. The project maintains or enhances vegetation, natural habitats and natural resources.

The proposed project is located at 605 Escalona Drive. The home is not located in an area with natural habitats or natural resources. The project will maintain or enhance vegetation consistent with the allowed use and will not have an effect on natural habitats or natural resources.

D. The project maintains or enhances low-cost public recreational access, including to the beach and ocean.

The project involves a single-family residence and will not negatively impact low-cost public recreational access.

E. The project maintains or enhances opportunities for visitors.

The project involves a single-family residence and will not negatively impact visitor serving opportunities.

F. The project maintains or enhances coastal resources.

The project involves a single-family residence and will not negatively impact coastal resources.

G. The project, including its design, location, size, and operating characteristics, is consistent with all applicable design plans and/or area plans incorporated into the LCP.

The proposed residential project complies with all applicable design criteria, design guidelines, area plans, and development standards. The operating characteristics are consistent with the R-1 (Single-Family Residential) zoning district.

H. The project is consistent with the LCP goal of encouraging appropriate coastal development and land uses, including coastal priority development and land uses (i.e., visitor serving development and public access and recreation).

The project involves a new single-family residence on an existing commercial lot. The proposed project is consistent with the LCP goals for appropriate coastal development and land uses. The residential use is consistent with allowed uses of the R-1 (Single-Family Residential) zoning district.

Variance Findings:

- A. There are unique circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, that do not generally apply to other properties in the vicinity or in the same zone as the subject property.**

Staff Analysis: 605 Escalona Drive has an angled front lot line which is not common throughout Capitola. Because side setbacks on four-sided lots are calculated as an average between the front and rear lot widths, required side setbacks are slightly larger (about an inch) due to the angle of the front property line.

- B. The strict application of the zoning code requirements would deprive the subject property of privileges enjoyed by other property in the vicinity or in the same zone as the subject property.**

Staff Analysis: The Depot Hill neighborhood was zoned multi-family from the time of the City Incorporating (1949) until 1979. The change to single-family zoning in 1979 altered the development standards, including setbacks, for the entire neighborhood. There are many structures in the Depot Hill neighborhood with non-conforming setbacks due to the 1979 zone change. The granting of a variance would enable the applicant to construct the proposed additions without moving the garage wall half a foot.

- C. The variance is necessary to preserve a substantial property right possessed by other property in the vicinity or in the same zone as the subject property.**

Staff Analysis: Several properties in the vicinity have substandard side setbacks similar to the condition found on the subject property. The granting of a variance would enable the applicant to construct the proposed additions without requiring removal of an existing nonconforming garage side wall.

- D. The variance will not be materially detrimental to the public health, safety, or welfare, or be injurious to the properties or improvements in the vicinity or in the same zone as the subject property.**

Staff Analysis: The proposed additions will meet current development standards, including setbacks. Approval of the variance will not negatively impact the public, properties, or improvements in the vicinity or in the same zone as the subject property. The garage is located four-feet, five-inches from the side property line, allowing adequate space during an emergency for access around the home.

- E. The variance does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity or in the same zone as the subject property.**

Staff Analysis: Two properties along the south side of Escalona Drive have substandard setbacks. Substandard side setbacks are more common on the north side of Escalona Drive, where the average lot widths are narrow. Many properties on the north side of the street have non-conforming side setbacks. The variance acknowledges an existing garage side wall and does not constitute a grant of special privilege.

- F. The variance will not have adverse impacts on coastal resources.**

Staff Analysis: The property will not impact nearby coastal resources.

Conditions of Approval:

1. The project approval consists of the remodel of an existing single-family dwelling. The maximum Floor Area Ratio for the 6,354 square foot property is 48% (3,050 square feet). The total FAR of the project is 45.6% with a total of 2,896 square feet, compliant with the maximum FAR within the zone. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on January 18, 2024, except as modified through conditions imposed by the Planning Commission during the hearing.

2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans.
3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
4. At time of submittal for building permit review, Public Works Standard Detail SMP STRM shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.
5. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
6. Prior to issuance of building permit, all Planning fees associated with permit #23-0374 shall be paid in full.
7. Prior to issuance of building permit, the developer shall pay Affordable housing impact fees as required to assure compliance with the City of Capitola Affordable Housing Impact Fee Ordinance.
8. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Creek Water District, and Central Fire Protection District.
9. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
10. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
11. Applicant shall notify the Public Works Department 24 hours in advance of the commencement of work. A pre-construction inspection must be conducted by the grading official, or appointed staff to verify compliance with the approved erosion and sediment control plan. All BMPs, sediment and erosion control measures shall be installed prior to the start of construction and shall be maintained throughout project duration.
12. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
13. During construction, construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B.
14. Prior to issuance of Certificate of Occupancy, all cracked or broken driveway approaches, curb, gutter, or sidewalk shall be replaced per the Public Works Standard Details and to the satisfaction

of the Public Works Department. All replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.

15. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy any non-compliance in a timely manner may result in permit revocation.
16. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.156.080.
17. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
18. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
19. Prior to issuance of building permits, the building plans must show that the existing overhead utility lines will be underground to the nearest utility pole.
20. Outdoor lighting shall comply with all relevant standards pursuant to Municipal Code Section 17.96.110, including that all outdoor lighting shall be shielded and directed downward such that the lighting is not directly visible from the public right-of-way or adjoining properties. Outdoor lighting fixture specifications shall be included with the plans submitted for building permit plan check.
21. At time of submittal for demolition and/or building permit review, the applicant shall include a demolition work of scope statement and a demolition plan clearly identifying all areas of walls and floors to be demolished. The City may require a letter from a structural engineer. Any modifications to the demolition plans, including modifications to the scope of work, means and methods of demolition/construction, or changes to the framing, windows, or any other exterior elements shall be submitted to the Building Department for review and approval prior to proceeding with demolition and/or construction. In the course of construction, the City may require additional plans as they deem necessary.

Attachments:

1. 605 Escalona Drive – Plan Set
2. 605 Escalona Drive – Variance Letter
3. 605 Escalona Drive – Owner Letter
4. Design Permit Review Criteria

Report Prepared By: Sean Sesanto, Associate Planner

Reviewed By: Austin Westly, Deputy City Clerk

Approved By: Katie Herlihy, Community Development Director