

Capitola Planning Commission

Agenda Report



Meeting: March 3, 2023

From: Community Development Department

Address: 203 Esplanade

Permit Number: 23-0046

APN: 035-211-04

Coastal Development Permit and Historic Alteration Permit for window replacement at Zelda's Restaurant located at 203 Esplanade in the Mixed Used Village (MU-V) zoning district.

Environmental Determination: Categorical Exemption 15331

Property Owner: Jill Ealy, Zelda's Restaurant

Representative: Jill Ealy, Zelda's Restaurant

Applicant Proposal: Request to replace windows on the historic structure located at 203 Esplanade (Zelda's Restaurant) due to storm damage. The current proposal is to install a sliding window system within each of the three window sections on the sea facing facade. The sliding windows would look similar to the previous windows with the same ribbon design and the same number of window openings in each section. The thickness of the mullions and the height off the floor would not match existing. The applicant is seeking an emergency coastal development permit and historic alteration permit for the proposed modifications to the rear façade.

Background: Zelda's Restaurant, located at 203 Esplanade, was severely damaged during the recent atmospheric river storms. The rear wall must be replaced due to the impacts of waves and debris on the structure. On January 25, 2023, Building Official Robin Woodman issued a demolition permit to remove portions of the existing rear wall for further investigative work by a structural engineer regarding stability of the building to building the wall back.

On February 2, 2023, the Planning Commission provided preliminary directions to the applicant in support of a historic alteration permit to allow a modification to the windows.

Discussion: The structure at 203 Esplanade is included in Capitola's Historic Context Statement and included in the 2005 Historic Structures List; therefore, all modifications to an existing structure require approval of a historic alteration permit by the Planning Commission.

The rear façade of Zelda's Restaurants previously had three sections of ribbon windows set side by side in groups of three and four windows creating a horizontal band. The window sections were separated by large ornate curved architectural supports, a character defining feature of the building.

The previously existing windows had been altered over time with varying dimensions and the removal of transom windows on the eastern end of the rear elevation. Capitola's Historic Context Statement does not include separate descriptions of each structure but describes the entire block of buildings from 199 Esplanade (Tacos Morenos) to 231 Esplanade (Margaritaville) as follows:

"1999 – 231 Esplanade. Eclectic Capitola Esplanade. The Esplanade has evolved since the 1920's to its present configuration. This restaurant row is in a continual state of remodeling from changing ownerships and periodic storm damage. The Bandstand is the oldest continuing operation."

During the recent storm, all windows except the two smaller windows at the west end of the elevation were destroyed. The proposed sliding window system will not be an in-kind replication and will introduce

new materials but would look similar when viewed from a distance with the same number of windows in the same openings. The proposal includes several differences in window detail as follows:

- The windows to be four inches higher to align the lower sill with the table heights.
- The proposed windows would fill the area of the existing fixed windows plus the area of the previous transom windows above to create a single, larger window that occupies the same wall space.
- The wood framing of the previous windows were four inches wide between each window and now the proposed sliding windows have two- and 1/16-inch-wide aluminum mullions between window panels.

Staff contacted Architectural Historian Seth Bergstein of Past Consultants for preliminary feedback on the applicant's request. After reviewing a 1950s photo and a recent photo of the structure, Mr. Bergstein found that the windows have been altered over time. He also noted that the request is not for the primary façade but the secondary façade on the rear of the building, which allows more flexibility related to the Secretary of Interior Standards review. Mr. Bergstein suggested that alteration could be supported as long as the overall window spacing stayed consistent, which it does.

Staff reviewed the proposal for consistency with the Secretary of Interior Standards for Rehabilitation. Of the ten criteria, the window replacement request is relative to standards 1, 2, and 9, as follows:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.

Staff Analysis: 203 Esplanade will continue to be utilized as a restaurant yet will have improved air circulation through the proposed sliding glass window system. The sliding glass windows will retaining the same number of window openings in the same location maintaining the spatial relationships for the window to wall ratio along the façade.

2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.

Staff Analysis: The character defining features on the rear façade of the building are the three sections of ribbon windows and the large ornate curved architectural supports. The proposed sliding windows will update the function of the windows but maintain the overall pattern and spatial relationships of windows to wall.

9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

Staff Analysis: The sliding windows are compatible with the overall architecture of the building and do not modify the scale or massing. The new windows maintain the spatial relationship of windows to walls along the sea facing façade.

CEQA: Section 15331 of the CEQA Guidelines exempts projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings. This project involves an addition to an existing historic resource located at 203 Esplanade in the Mixed-Use Village zoning district. As conditioned, the project conforms to the Secretary of the Interior's Standards for Rehabilitation. No adverse environmental impacts were discovered during review of the proposed project.

Recommendation: Approve the Coastal Development Permit and Historic Alteration Permit for 203 Esplanade, as conditioned.

Attachments:

1. Photo Comparison
2. Sliding Window Proposal
3. Sliding Window Details
4. Secretary Of Interior Standards for Rehabilitation

Conditions of Approval

1. The project approval is for a Coastal Development Permit and Historic Alteration permit for sliding glass windows on the rear façade of 203 Esplanade. No modifications to the Floor Area Ratio is proposed. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on March 2, 2023, 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 a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Santa Cruz County Environmental Health Department, Water District, and Central Fire Protection District.
7. During construction, any 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
8. 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 a non-compliance in a timely manner may result in permit revocation.

9. 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.
10. 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.

Historic Alteration Permit Findings:

- A. The historic character of a property is retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize the property is avoided.**

Community Development Staff and the Planning Commission have reviewed the proposed window modification and determined it will retain and preserve the historic character.

- B. Distinctive materials, features, finishes, and construction techniques or examples of fine craftsmanship that characterize a property are preserved.**

Community Development Staff and the Planning Commission have reviewed the proposed window modification and determined that distinctive design will be preserved by maintaining the window pattern along the rear façade.

- C. Any new additions complement the historic character of the existing structure. New building components and materials for the addition are similar in scale and size to those of the existing structure.**

Community Development Staff and the Planning Commission have reviewed the proposed window modification and determined that the proposed sliding windows are to scale and size of those previously and will complement the historic character of the existing structure.

- D. Deteriorated historic features are repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature matches the old in design, color, texture, and, where possible, materials.**

Community Development Staff and the Planning Commission have reviewed the proposed window replacement and the new sliding windows will maintain the pattern of previous windows.

- E. Archeological resources are protected and preserved in place. If such resources must be disturbed, mitigation measures are undertaken.**

Community Development Staff and the Planning Commission have reviewed the proposed window replacement and determined archeological resources will not be disturbed.

- F. The proposed project is consistent with the general plan, any applicable specific plan, the zoning code, and the California Environmental Quality Act (CEQA) and is subject to Section 753.5 of Title 14 of the California Code of Regulations.**

Community Development Staff and the Planning Commission have reviewed the proposed window replacement and determined the project is consistent with the general plan and the zoning code for historic preservation. Section 15331 of the CEQA Guidelines exempts rehabilitation projects of historic resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving,

Rehabilitating, Restoring, and Reconstructing Historic buildings. The proposed project is consistent with the Secretary of the Interior's Standards and no adverse environmental impacts were discovered by Planning Staff during the review of the proposed project.

Coastal 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 203 Esplanade. 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 203 Esplanade. The modification to the windows will not impact the vegetation, natural habitats, and natural resources.

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

The project involves a window replacement at 203 Esplanade and will not negatively impact low-cost public recreational access. Public access is maintained along the exterior of the building with the sliding windows.

E. The project maintains or enhances opportunities for visitors.

The project involves a window replacement from fixed to sliding windows. The project will enhance the visitors experience as public access is maintained around the exterior of the building.

F. The project maintains or enhances coastal resources.

The project involves a window replacement 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 Mixed-Use Village (MU-V) zone.

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 window replacement within a restaurant located on the Esplanade. The project is consistent with the LCP goals for appropriate coastal development and land uses. The use is an allowed use consistent with the MUV zoning district.