

Capitola Planning Commission

Agenda Report

Meeting: August 17, 2023
From: Community Development Department
Address: **1500 Wharf Road #7**



Permit Number: #23-0228

APN: 035-194-05

Historic Alteration Permit first-story modifications to one of the historic Venetian condominium units, located within the MU-V (Mixed Use Village) zoning district.

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.

Environmental Determination: Categorical Exemption

Property Owner: Viola Carr and Sherrean Carr

Representative: Roy Horn, Filed: 05.02.23

Recommended Action: Staff recommends the Planning Commission approve application #23-0228 based on Conditions and Findings for Approval.

Applicant Proposal: The applicant is proposing a rehabilitation and 14-square-foot addition to one of the original Venetian Court condominium units, which is located within the MU-V (Mixed-Use Village) zoning district. The modifications require approval of a Historic Alteration Permit by the Planning Commission.

Background: The structure suffered substantial damage during the January 5, 2023, storm and flooding event. The unit lost all its front windows and a portion of the front exterior wall collapsed. Due to the shape of its walls and the funneling effect of waves, this is the second time the front wall has failed during a flood event.

Discussion: The existing structure is a historic, single-story residence, which is part of the larger Venetian Court condominium complex. The structure occupies most of the lot and shares walls with two adjacent condominiums. The unit is one of the most seaward residences in the complex and is currently uninhabitable due to extensive storm damage.

The applicant is proposing to remodel the existing residence, with exterior modifications on the front and rear faces, including a 14-square-foot addition on the front façade which removes the inset corner with a beveled wall to help redirect wave energy. The new wall will be reinforced using concrete masonry blocks to three feet above grade. Similar construction has protected the adjacent unit for decades, which likely receives even stronger wave action due to being the most seaward and exposed unit. The project will replace the destroyed windows with new fiberglass-clad wood windows with impact-resistant glass, restore stucco damaged by the storm, and introduce matching clay tile over the front addition.

Development Standards: The following table outlines the zoning code requirements for development in the MU-V (Mixed Use Village) zoning district. The project complies with all applicable development standards of the zone.

Development Standards			
Building Height			
MU-V Regulation		Existing	Proposed
27 ft.		11 ft. 3 in.	11 ft. 9 in.
Floor Area Ratio			
Lot Size		484 sq. ft.	484 sq. ft.
MU-V Regulation		Existing	Proposed
2.0		.93 (461 sq. ft.)	.96 (465 sq. ft.)
Setbacks			
	MU-V Regulation	Existing	Proposed
Front	Min: 0 ft. Max: 15 ft.	0 ft.	0 ft. Addition: 0 ft.
Rear	None	0 ft. Existing utility and storage encroachments	0 ft. Existing nonconforming
Interior Side	None	East: 0 ft. West: 0 ft.	East: 0 ft. West: 0 ft.
Underground Utilities: required with 25% increase in area			Not Required

Historic Alteration Permit: The project involves substantial alterations to the existing historic structure and therefore requires approval of a Historic Alteration Permit by the Planning Commission. Also, historic resources are identified as environmental resources within the California Environmental Quality Act (CEQA). Any modification to a historic resource must comply with the *Secretary of Interior Standards for Rehabilitation* (Standards) to qualify for a CEQA exemption.

Originally constructed in the mid-1920s, the Venetians are an immediately recognizable landmark within the Capitola Village and are on local, state, and federal historic registers.

Architectural Historian Seth Bergstein evaluated the proposed design for compatibility with the Standards (Attachment 2), including the identification of character-defining features. Through the historic review, it was determined that all windows on the unit have been replaced and most window openings on the front elevation have also been modified. Although numerous features have been replaced or modified, the structure still retains a number of character-defining features, including:

- Flat roof with parapet walls.
- Decorative clay-barrel roof tiles over the parapet on the front and rear faces.
- Heavily textured stucco wall cladding.
- Decorative cement plaster relief details on the roof parapet.

After reviewing the proposed plans and conducting an on-site review with Planning Staff and project representatives, Mr. Bergstein recommended the proposed front entrance overhang be removed for historic consistency with the overall Venetian frontage. The entrance overhangs were removed from the final design. Subsequently, Mr. Bergstein cited Standards 2, 9, and 10 as most applicable to the project for the preservation of character-defining features and compatibility of new additions and exterior alterations.

Mr. Bergstein found that the proposed residential rehabilitation project has been designed to comply with the Standards and the front addition will minimize future damage and enhance the long-term preservation of the structure overall. Therefore, the project qualifies for a CEQA exemption.

Parking: Pursuant to CMC §17.76.020(C)(2), the full amount of parking to serve a residential use is required when the floor area is increased by more than ten percent. The proposed project will increase

the floor area by approximately three percent and is therefore not required to bring onsite parking into compliance.

Non-Conforming Structure: The existing residence, like many of the Venetian units, has utility connections and storage cabinets which encroach beyond the property line into the shared interior walkway that serves residents. The structure does not comply with the minimum required rear setbacks along the north 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 the project cost represents approximately 50 percent of the present fair market value and therefore complies with alteration limitations to non-conforming structures.

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 the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings. Following the flood and wave damage, construction is necessary to make the residence habitable again. The expanded scope of rehabilitation will help defend the historic structure against future storms. Architectural Historian Seth Bergstein reviewed the project for compatibility with the Secretary of the Interior's Standards for Rehabilitation and found that the proposed residential rehabilitation would not impact the remaining character-defining features or overall historic integrity of the building. Therefore, the project qualifies for this CEQA exemption.

Attachments:

1. 1500 Wharf Road #7 – Plan Set
2. 1500 Wharf Road #7 – SOI Review Letter

Conditions of Approval:

1. The project approval includes the rehabilitation of an existing 451-square-foot single-story, historic residence and a 14-square-foot addition. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on August 17, 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 building permit, all Planning fees associated with permit #23-0228 shall be paid in full.

7. 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.
8. 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.
9. 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
10. 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.
11. 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.
12. 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.
13. 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.

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 rehabilitation project and determined it will it has been designed to preserve character-defining features and maintain the spatial relationship with the row of adjacent Venetian dwellings. The project includes necessary repairs and fortifies the structure against future damages, thus enhancing the long term preservation of the historic resource.
- 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 rehabilitation project and determined that distinctive design will be preserved by reconstructing the signature stucco cladding that was damaged by the 2023 storms, and use of clay-barrel tile roof accents.

- 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 rehabilitation project and determined that the addition will not modify the spatial relationships between the existing condominium units. The stucco cladding, stucco pattern, and structural massing are prioritized over differentiation. The addition is modest, similar in scale and size, and complements the overall character of the 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 rehabilitation project and determined that historic features will be preserved and repaired to the extent possible. Stucco cladding will be replaced in-kind where damaged by the 2023 storm. Windows and doors on the front are not original and have all been damaged or destroyed by the storm; all will be replaced utilizing distinct but compatible materials.

- 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 renovations and determined it will not impact archaeological resources.

- 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.

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 the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings. Following the flood and wave damage, construction is necessary to make the residence habitable again. The expanded scope of rehabilitation will help defend the historic structure against future storms. 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 Development Permit Findings:

- A. The project is consistent with the LCP land use plan, and the LCP implementation program.
The proposed residential rehabilitation project 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 will not negatively impact public views.
- C. The project maintains or enhances vegetation, natural habitats and natural resources.
The project will not interfere with 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 façade improvements and a minor addition on private property. The project is located adjacent to a coastal access pathway but will not interfere with public access.
- E. The project maintains or enhances opportunities for visitors.

The project involves façade improvements and a minor addition on private property. The project will not interfere with visitor-serving opportunities.

F. The project maintains or enhances coastal resources.

The project involves façade improvements 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 project complies with all applicable design criteria, design guidelines, area plans, and development standards.

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 façade improvements and a minor addition. The project is consistent with the LCP goals for appropriate coastal development and land uses. The use is an allowed use consistent with the MU-V zoning district.

Report Prepared By: Sean Sesanto, Associate Planner