

Capitola Village rezoning plan termed too restrictive by critics

CAPITOLA — A rezoning proposal for Capitola Village — a plan regarded by many as an unfair tightening of future development — drew an unfriendly welcome Thursday night.

The Planning Commission unveiled the proposal, which would establish a new village residential zone downtown in the Cherry Avenue area. At the same time, however, the plan would place so-called "overlay" zones on both the commercial area around the Esplanade and other residential areas around Lawn Way.

Commissioners took no action, continuing the matter. Planning Director Susan Tupper said later that the plan could possibly return to the commission as soon as two weeks. Even if approved, it will have to also be passed by the City Council for final action.

While nary a word of objection was heard concerning the new residential zone around Cherry Avenue, Esplanade business owners and Lawn Way residents vehemently argued against proposed restrictions of the overlay zones.

Among the main proposals were

- Any substantial remodel greater than 50 percent would fall under the category of new construction, necessitating that all parking requirements would have to be met.

In the parking-depleted Esplanade, this would virtually eliminate any rebuilding to existing standards in case of even a natural disaster, such as a flood or fire.

- The commercial overlay also sets a 20-foot maximum building height. This would prohibit second-story additions to existing buildings.

In addition, no new commercial businesses would be allowed on second floors. Therefore, if and when existing second-floor businesses vacate, that space would convert to residential use only.

- The Lawn Way residential area, adjacent to the Esplanade, would not be allowed any increases in height or any conversions to commercial.

One man in the audience noted, "Unique architecture, such as the Six Sisters (a series of six units off the Esplanade), could not be built. That would be a mistake."

Business owners and residents alike called the changes "unfair and wrong." Former City Councilman Dennis Beltram said it was "fraught with problems that could spell disaster." He drew applause by urging the commission throw it out and start over.

Steven Woodside noted, "You shouldn't stymie future architecture variety by simply saying 'no two-story additions.' That is unfair and wrong."

Another speaker agreed it was unfair to prevent him from building a second-story when a next-door neighbor — who might have just built six months ago — was allowed to go up.

Others pushed for a variance to allow reconstruction in cases of

natural disasters. "How is that preservation if you can't even rebuild what was there?" asked a speaker.

At one point, Commissioner Howard Dysle questioned how business owners would be able to rebuild anyway, considering the flood-control ordinance forced upon the city by the federal government.

Tupper relied that buildings more than 50 percent destroyed in a natural disaster could be rebuilt only if owners conform to the flood-control guidelines. Those guidelines primarily call for buildings to be built anywhere from eight to 12 feet above the ground on stilts in order to prevent future storm damage.

At which another speaker noted that puts people in the "uncomfortable predicament" of the federal government wanting people to build up, but the city calling for a prohibition of second stories.

According to Tupper, the proposals derived from a special city-appointed committee of representatives from the Planning Commission, Architectural and Site Review Committee and the Village Advisory Group.

"We want to revise the existing Central Village zoning district to reflect some of the policy changes, which have been evolving over the last 10 years," she said.

At least from initial reaction, those proposal changes need refinement. The issue could return to the commission as soon as Aug. 7.