



SPECIAL MEETING AGENDA

CAPITOLA PLANNING COMMISSION

Thursday, March 31, 2016 – 6:00 PM

Chairperson T.J. Welch
Commissioners Ed Newman
 Gayle Ortiz
 Linda Smith
 Susan Westman

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

B. Public Comments

Short communications from the public concerning matters not on the Agenda. All speakers are requested to print their name on the sign-in sheet located at the podium so that their name may be accurately recorded in the Minutes.

C. Commission Comments

D. Staff Comments

3. APPROVAL OF MINUTES

4. PUBLIC HEARINGS

Public Hearings are intended to provide an opportunity for public discussion of each item listed as a Public Hearing. The following procedure is as follows: 1) Staff Presentation; 2) Public Discussion; 3) Planning Commission Comments; 4) Close public portion of the Hearing; 5) Planning Commission Discussion; and 6) Decision.

A. Monterey Avenue Skate Park #15-068 APN: 036-151-01

Design Permit, Conditional Use Permit, and consideration of an Environmental Impact Report for an approximately 6,000 square-foot skate park at Monterey Park.

The project is within the Coastal Zone and requires a Coastal Development Permit which is not appealable to the Coastal Commission.

Environmental Determination: Environmental Impact Report

Property Owner: City of Capitola

Applicants: Marie Martorella and Tricia Proctor

5. DIRECTOR'S REPORT

6. COMMISSION COMMUNICATIONS

7. ADJOURNMENT

APPEALS: The following decisions of the Planning Commission can be appealed to the City Council within the (10) calendar days following the date of the Commission action: Conditional Use Permit, Variance, and Coastal Permit. The decision of the Planning Commission pertaining to an Architectural and Site Review can be appealed to the City Council within the (10) working days following the date of the Commission action. If the tenth day falls on a weekend or holiday, the appeal period is extended to the next business day.

All appeals must be in writing, setting forth the nature of the action and the basis upon which the action is considered to be in error, and addressed to the City Council in care of the City Clerk. An appeal must be accompanied by a one hundred forty two dollar (\$142.00) filing fee, unless the item involves a Coastal Permit that is appealable to the Coastal Commission, in which case there is no fee. If you challenge a decision of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this agenda, or in written correspondence delivered to the City at, or prior to, the public hearing.

Notice regarding Planning Commission meetings: The Planning Commission meets regularly on the 1st Thursday of each month at 7:00 p.m. in the City Hall Council Chambers located at 420 Capitola Avenue, Capitola.

Agenda and Agenda Packet Materials: The Planning Commission Agenda and complete Agenda Packet are available on the Internet at the City's website: www.cityofcapitola.org. Agendas are also available at the Capitola Branch Library, 2005 Wharf Road, Capitola, on the Monday prior to the Thursday meeting. Need more information? Contact the Community Development Department at (831) 475-7300.

Agenda Materials Distributed after Distribution of the Agenda Packet: Materials that are a public record under Government Code § 54957.5(A) and that relate to an agenda item of a regular meeting of the Planning Commission that are distributed to a majority of all the members of the Planning Commission more than 72 hours prior to that meeting shall be available for public inspection at City Hall located at 420 Capitola Avenue, Capitola, during normal business hours.

Americans with Disabilities Act: Disability-related aids or services are available to enable persons with a disability to participate in this meeting consistent with the Federal Americans with Disabilities Act of 1990. Assisted listening devices are available for individuals with hearing impairments at the meeting in the City Council Chambers. Should you require special accommodations to participate in the meeting due to a disability, please contact the Community Development Department at least 24 hours in advance of the meeting at (831) 475-7300. In an effort to accommodate individuals with environmental sensitivities, attendees are requested to refrain from wearing perfumes and other scented products.

Televised Meetings: Planning Commission meetings are cablecast "Live" on Charter Communications Cable TV Channel 8 and are recorded to be replayed on the following Monday and Friday at 1:00 p.m. on Charter Channel 71 and Comcast Channel 25. Meetings can also be viewed from the City's website: www.cityofcapitola.org.



STAFF REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT

DATE: MARCH 31, 2016

SUBJECT: **Monterey Avenue Skate Park #15-068 APN: 036-151-01**

Design Permit, Conditional Use Permit, and consideration of an Environmental Impact Report for an approximately 6,000 square-foot skate park at Monterey Park.

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Environmental Determination: Environmental Impact Report

Property Owner: City of Capitola

Applicants: Marie Martorella and Tricia Proctor

APPLICANT PROPOSAL

This is a privately initiated request for a Design Permit, Conditional Use Permit (CUP), and a Coastal Development Permit to allow construction and operation of an approximately 6,000 square-foot skateboard park at Monterey Park. Monterey Park is zoned PF-P (Public Facility – Park) and is designated as P/OS (Parks/Open Space) by the Capitola General Plan. The proposed skate park would be financed and constructed by the applicants pursuant to a right-of-entry agreement, which will be considered by the City Council at a future hearing.

BACKGROUND

Development of a public skate park in Capitola has been considered by City officials and residents on multiple occasions over the past several years. Many sites throughout the City have been considered for a skate park, but were rejected largely due to noise, traffic, parking, and community character concerns.

In 2011, the City Council held public hearings to discuss the possibility of developing a privately-funded 9,000 square-foot skate park in Monterey Park. The Council ultimately declined to proceed with the proposal, but indicated an interest in developing a smaller facility if the applicants would agree to fund the project. The applicants did not pursue a reduced project at that time.

In 2013, the City Council approved plans for a multi-use public park on McGregor Drive which includes a dog park, bike pump track, and an approximately 9,000 square-foot skate park. Construction of the park commenced in 2014, but was later delayed due to soil contamination issues which have since been resolved. Construction resumed in March 2016 and the park is expected to open by summer 2016.

During public hearings on the McGregor Park project, some residents expressed concerns that the proposed location was too remote and lacked adequate access for pedestrians, cyclists, and skateboarders. These concerns prompted the applicants to reinstate discussions of a more centrally located facility in Monterey Park.

On February 11, 2015, the City Council authorized a request by the applicants to allow submission of an application for an approximately 6,000 square-foot skate park in Monterey Park. Their application was subsequently submitted on April 17, 2015.

Following review of the application, the staff determined an Environmental Impact Report (EIR) was required pursuant to the California Environmental Quality Act (CEQA). A public scoping meeting was held on June 30, 2015 to solicit input from residents on the potential environmental effects of the project. A summary of comments received during the scoping meeting can be found in Appendix B of the EIR. The Draft EIR was circulated for public review and comment between November 18, 2015 and January 8, 2016. A copy of all public comments and staff responses is included in Section 4.0 of the Final EIR.

On July 22, 2015 the Architectural and Site Review Committee reviewed the application and provided recommendations for plan revisions and design considerations (Attachment 6).

DISCUSSION

The proposed skate park would be located along the southwestern boundary of Monterey Park near the New Brighton Middle School property line. Monterey Park is designated as an active park by the Capitola General Plan and features a multi-use grass play area used for baseball, softball, soccer, and informal recreation; an approximately six- to eight-foot wide walking path; a 26-space surface parking lot, a water fountain, benches, and landscaping. The park is separated from adjacent residences to the east and south by trees, bushes, and an approximately six-foot high wood fence. Surrounding land uses include single-family residences to the north, south, and east, and a middle school to the west. Other nearby land uses include St. Joseph's Catholic Church approximately 600-feet to the west and the Shorelife Community Church approximately 800-feet to the east. Multi-family residences are also located in the general project vicinity.

The proposed skate park would be constructed with poured-in-place concrete with edges finished in a metal coping. The facility consists of a concrete bowl with undulating slopes and a variety of challenge elements, including a quarter-pipe, curbs, ramps, railings, jump features, and a concrete deck. The facility would be enclosed with a six-foot wrought iron fence. The total footprint of the facility within the enclosed fenced area would be approximately 6,811 square-feet and the skate park would be approximately 6,028 square-feet. Construction is anticipated to take 6-8 weeks.

The skate park has been designed to serve beginner to intermediate riders generally in the 5-14 year age range, although it could be used by anyone over the age of five. It is estimated the facility could safely accommodate up to 25 skaters at any one time. No special events or competitions are included in this application. The facility would be subject to existing Municipal Code rules and regulations pertaining to public parks, skate parks, and noise.

General Plan and Zoning

Monterey Park is classified as an active park and has a land use designation of P/OS (Parks/Open Space) by the Capitola General Plan. General Plan Policy LU-13.13 calls for the City to "Develop Monterey Park as an active park site with neighborhood-serving recreational

facilities and amenities”. Development of a skate park is referenced in General Plan Policy LU-13.9 which states “Support and encourage the location of special use recreation facilities, such as organic community gardens, dog parks, and skate parks on available park or other public lands, where compatible with the existing and planned uses of surrounding properties”. The proposed skate park would be an active recreation facility consistent with the P/OS land use designation.

Monterey Park is zoned PF-P (Public Facility – Park). The purpose of the PF-P zone is to set aside areas for public parks, scenic easements, riparian corridors, beach areas and similar public use areas. The PF-P zone does not establish development standards for height, setbacks, parking, floor area ratio, or other standards typically applied to residential and commercial zoning districts.

CEQA

A draft EIR was prepared and circulated for a 52-day public review and comment period. The EIR found the project would result in significant environmental effects to/from noise, hazards/hazardous materials and biological resources. Mitigation measures have been incorporated into the EIR and project conditions which would reduce impacts to a less than significant level. Staff and the City Attorney reviewed all comments received and provided written responses which are included in the Final EIR.

Project Issues

Staff received numerous public comments which express a variety of concerns with the proposal. The following sections outline the primary topics of concern with a staff analysis of the issues.

Noise

The proposed skate park would introduce a new source of noise to the adjacent middle school campus and neighboring residents. Noise would be generated by skaters arriving and departing the skate park along neighboring streets, skateboards slapping and grinding on hard surfaces, and skate park users talking and occasionally shouting. Noise is reviewed for consistency with the City’s General Plan Safety and Noise Element (Noise Element), Noise Ordinance, and CEQA. Noise can also be an important consideration when evaluating community character issues.

The City contracted with Illingworth and Rodkin, Inc. to assess noise generated by the skate park and to evaluate the project for consistency with the Noise Element, Noise Ordinance, and CEQA. Their analysis, findings, and recommendations are documented in the *Monterey Avenue Skate Park Project Noise and Vibration Assessment* (September 2, 2015) and is included as Appendix C of the EIR. The noise assessment included measurements of existing ambient noise levels in and around the project site, a review and analysis of actual noise generated by other skate parks, and modeling predicted changes in noise levels resulting from the project.

The noise consultant applied a conservative approach to their analysis to ensure predicted project noise would not be understated. For example, the noise model used a worst-case scenario which assumed the skate park would be used at full capacity throughout an entire day, a scenario which is unlikely to occur with any regularity. The modeling also relied on actual noise measurements from larger skate parks which would be expected to produce higher noise levels than the proposed facility.

In addition, the study also includes an L_{max} analysis to account for maximum instantaneous noise events created by momentary grinding and slapping of skateboards and shouting. Noise

generation for common land uses is typically evaluated through daily and/or hourly average noise measurements, such as CNEL, L_{dn} , and/or L_{eq} standards. Although the L_{max} standard is generally only applied to uses which involve more impulsive, penetrating noise events such as a shooting range, it was used for this project to account for peak noise events and to provide a conservative evaluation. A brief description of noise standards evaluated in the study is provided below:

| NOISE MEASUREMENT STANDARD | DESCRIPTION |
|---|---|
| CNEL (Community Noise Equivalent Level) | Average noise level during a 24-hour day, including a 5 decibel addition for evening hours (7-10 pm) and 10 decibel addition for night hours (10 pm – 7 am) |
| L_{dn} (Day/Night Noise Level) | Same as CNEL, except evening hour decibel addition not applied. Includes night addition of 10 decibels |
| L_{eq} (Equivalent Noise Level) | Average noise levels during a measurement period |
| L_{max} (Maximum Noise Level) | Maximum noise levels during a measurement period |

Safety and Noise Element Consistency

The City's Noise Element establishes compatibility guidelines for common land uses based on criteria developed by the State of California and published by the Office of Planning and Research. The guidelines set a "normally acceptable" noise level of 60 dBA CNEL/ L_{dn} for low density residential areas and 70 dBA CNEL/ L_{dn} for schools and neighborhood parks.

Assuming a worst-case scenario in which the proposed skate park operates at full capacity for the entire daily operation period, the L_{dn} noise level with the proposed skate park would be approximately 47 to 52 dBA L_{dn} at the School District offices and 47 dBA L_{dn} or less at nearby single-family residences on Orchid Avenue and the New Brighton Middle School classrooms. This is below the most-restrictive threshold used to evaluate noise impacts (60 dBA L_{dn}). CNEL noise levels attributable to skate park operations would be approximately 48 to 53 dBA CNEL at School District offices and 48 dBA CNEL or less at nearby single-family residences and classrooms, which are also substantially below the 60 dBA CNEL standard. Accordingly, noise generated by the proposed skate park would not exceed the most restrictive Noise Element standard of 60 dBA CNEL/ L_{dn} .

Noise Ordinance Consistency

The City's Noise Ordinance provides standards for types of noise (leaf blowers, amplified music, etc.) and allowable hours of construction, but does not establish any quantitative noise thresholds. The skate park proposal does not include the use of amplified music, loudspeakers, or public address systems and construction activities would be limited in accordance with the Noise Ordinance. The project would therefore be consistent with the City Noise Ordinance.

CEQA Consistency

CEQA requires potential noise impacts be identified and avoided or mitigated, but does not establish any quantitative standards or thresholds. Consequently, the EIR applied the following thresholds of significance to determine if the project would result in a significant noise impact: 1) if the project would conflict with the Noise Element; 2) if the project would conflict with the Noise Ordinance; and 3) if the project would result in a 5 dBA increase in noise, as such an increase would be clearly perceptible by most persons.

As previously noted, the project would not conflict with the Noise Element or Noise Ordinance. However, the noise study concluded that skate park noise levels would exceed the arithmetic average L_{eq} by up to 7 dBA and the arithmetic average L_{max} by up to 5 dBA at the school district

offices and residences on Orchid Avenue; therefore, the project would result in a significant noise impact.

To reduce noise impacts to a less-than-significant level, mitigation in the form of six-foot high noise barriers at the north and south boundaries of the skate park would be required to reduce maximum instantaneous and hourly average noise levels by a minimum of 5 dBA at the school district offices and single-family residences at the west end of Orchid Avenue. Noise barriers would be constructed from materials such as one-inch thick wood fence boards, masonry block, concrete, or a transparent plexiglass material. Through the incorporation of noise barriers, noise impacts from the project would be reduced to a less-than-significant level as defined by CEQA.

Traffic and Parking

The City commissioned Kimley-Horn and Associates to evaluate traffic and parking impacts from the proposed skate park. Their analysis and findings are presented in a *Traffic Impact Study for Monterey Avenue Skate Park* (August 28, 2015) and can be found as Appendix D of the EIR. The study evaluated current traffic conditions along Monterey Avenue and the surrounding road network and developed trip generation rates based on available information from similar skate parks and professional judgment of the traffic engineer.

The traffic study concluded the project would result in eight new weekday PM peak hour trips and 11 new weekend peak hour trips. This additional traffic would not result in a noticeable change to traffic volumes along Monterey Avenue and would have no effect on existing Levels of Service (LOS). Accordingly, the project would not result in a significant direct traffic impact as defined by CEQA.

The project would, however, contribute four cumulative trips to a failing intersection at Kennedy Drive and Park Avenue which currently operates at an unacceptable LOS "E" during the weekday PM peak period. The Kennedy Drive/Park Avenue intersection was identified as a failing intersection in the General Plan Update EIR which includes a mitigation measure to install a future traffic signal to improve traffic flow to LOS "C". Therefore, a condition of approval is included to require the applicant to make a fair share contribution to fund the future installation of a traffic signal at this intersection.

Parking

Parking for Monterey Park users is provided by an existing 26-space public parking lot and on-street spaces along either side of Monterey Avenue. Based on the Kimley-Horn's parking analysis, six parking spaces would be needed to accommodate skate park users during peak use periods. The remaining 20 spaces would be available to serve baseball players, which would provide adequate capacity for 20 individual players if they each drove a separate vehicle to the park.

Community Character/Land Use Compatibility

Many residents have expressed concerns about the effect the proposed skate park would have on existing community character, citing issues with noise, traffic, parking, and aesthetics. Although the project would not result in any significant unmitigated CEQA impacts, it would introduce new sources of noise and traffic, an increased parking demand, and a new visual feature to Monterey Park which some may consider to be undesirable changes to existing community character.

As a designated active park site, Monterey Park accommodates existing recreational activities which produce noise, traffic, and parking demand. It is expected that any new or expanded

active park uses would likewise involve some additional nuisance impacts which may be objectionable to neighboring residents. Notwithstanding, it is staff's opinion that the proposed skate park would not result in a substantial degradation of the existing visual character of the area nor would it generate significant volumes of new traffic which would adversely affect safety of traffic flow along Monterey Avenue. The additional parking demand generated by the project is also not expected to substantially affect the availability of on-street parking along Monterey Avenue.

The expected increase in nuisance noise from skateboarding, however, could be considered a substantial community character issue. Although noise barriers would reduce noise below a level of CEQA significance, it is recognized that skateboarding activity will create audible noise which may be disturbing to neighboring residents and faculty and students at the school campus.

Active park uses often present land use compatibility issues with surrounding residential areas. Skate parks, basketball courts, tennis courts, swim clubs, and similar uses can all produce nuisance impacts which may be objectionable to neighbors. Conversely, there are also people who appreciate living near parks for ease of accessing recreational opportunities for themselves and their children.

The General Plan includes high level guidance on community character and land use compatibility issues, including policies to ensure new development is compatible with neighboring land uses and protects neighborhood character. The General Plan also includes policies which promote increased recreational opportunities in City parks and development of active park uses in Monterey Park. The community character issues are therefore highly subjective and reasonable people may have very different views on the project's compatibility. In this regard, the Planning Commission has broad discretion to determine whether the proposed skate park would be consistent with competing General Plan policies relating to community character, land use compatibility, and the provision of expanded recreational opportunities.

Design and Public Safety

Concerns have been raised that the proposed skate park location would not provide adequate visibility for neighbors and law enforcement officials which could lead to increased vandalism, unlawful activities, and skaters using the facility at night when the park is closed. In addition, some residents have expressed concern that errant softballs could be hit into the skate park creating a hazard for skaters.

To help evaluate the proposed design in light of public safety issues, the City contracted with MacAdam Protection Strategies to review the skate park plans and develop design and operational recommendations to enhance public safety. Their analysis and recommendations are documented in a Crime Prevention through Environmental Design (CPTED) report (Attachment 5). Community Development staff also worked closely with the Police Department to review the proposed design and the CPTED recommendations and suggest the following modifications **if the Planning Commission moves to approve the project:**

- **Modified Skate Park Location:** It is recommended that the skate park be moved closer to the existing parking lot to improve visibility and public safety. The proposed skate park location is substantially hidden behind a knoll, trees and school district buildings. Moving the facility closer to the parking lot would allow people using Monterey Avenue, neighboring residents, and the police to better observe activities within and around the skate park and improved visibility would deter users from committing unlawful activities.

Staff additionally recommends the skate park be sited in a manner which avoids trees impacts to the extent possible, particularly the two redwood trees. It should be noted that this option was evaluated by the EIR as Alternative 1 which was found to be the environmentally superior alternative because it would reduce significant noise impacts to residents along Orchid Avenue.

- **Security lighting:** It is recommended that security lighting be added to illuminate the skate park and the path leading to the facility. Security lighting should be restricted to low pressure bulbs affixed to downward casting fixtures to prevent light trespass onto adjacent properties.
- **Netting:** It is recommended that netting, or an equivalent design measure, be added to prevent errant softballs from entering the skate park and creating a hazard to skaters.
- **Noise Wall Design:** The noises study and EIR found that noise attenuation walls are necessary to reduce noise impacts to a less than significant level. It should be noted that the incorporation of noise barriers has the potential to increase non-CEQA management issues at the proposed skate park. Noise walls may increase the City's long term maintenance liability through the need to maintain the walls and potentially remove graffiti. Although a plexiglass material may improve visibility into the skate park, it would likely require additional maintenance. Therefore, staff suggests noise walls be constructed of wood or masonry materials.

In addition, and as noted in the CPTED study, best practice for skate parks is to site them in locations which maximize opportunities to view the facility from public vantage points. Accordingly, noise walls must be sited in a manner which achieves necessary sound attenuation while also preserving views into the skate park.

- **Double Pedestrian Gate:** It is recommended that the entrance to the facility be modified to a double pedestrian gate to facilitate emergency and medical access.
- **Benches:** It is recommended that benches and/or cube style seating be added to allow parents and spectators to comfortably sit outside the facility. This would encourage additional parental and resident monitoring to deter unauthorized activities.
- **Emergency Phone:** An emergency phone should be added near the facility to allow quick communication access in the event of an emergency.
- **Other Features:** Additional recommended design features include the addition of rules/regulations signage, skate board and bicycle racks, bark/wood ground cover in-lieu of turf, and trash receptacles.

Soil Contamination

A Phase I/Phase II Environmental Site Assessment (ESA) was performed by Weber, Hayes, & Associates to review the historical uses of Monterey Park and potential sources of contamination. Their assessment included soil testing which found the project site, like many areas in Santa Cruz County, has elevated levels of naturally occurring arsenic in the soil. Additionally, trace amounts of Dieldrin, a pesticide commonly used between 1950 and the early 1970's was discovered which slightly exceeds the leachable screening level, but does not exceed human health (ingestion) screening levels.

To mitigate potential impacts to/from hazardous materials, mitigation measures have been incorporated which requires preparation and implementation of a soil management plan approved by the County of Santa Cruz Department of Environmental Health and excavated soils to be capped or transported to an appropriate off-site disposal facility. The County of Santa Cruz has reviewed the ESA and has determined these mitigation measures are appropriate to address contaminated soils.

Biology

Some members of the public have expressed concerns regarding the loss of grassy open space at Monterey Park and resultant impacts to wildlife. Monterey Park supports non-native, ornamental turf grass and a variety of native and non-native tree species. The proposed skate park would displace approximately 6,800 square-feet of non-native turf, and depending on its chosen location, could result in the removal of up to six mature trees.

There are no documented records of federal, state, or locally listed sensitive plant or animal species in Monterey Park. The City does not have any regulations or policies which protect non-native vegetation, unless it provides habitat or wind protection for Monarch butterflies or other sensitive wildlife. Similarly, CEQA only protects non-native vegetation if it provides habitat or foraging areas for designated rare, threatened, or endangered species.

Although a variety of urban wildlife can be found in Monterey Park and surrounding neighborhoods, none of these species are considered rare or have any special protections. Moreover, these species are highly adaptive to urban settings and are unlikely to be significantly impacted by increased daytime park activity or the displacement of non-native turf. Raptors (hawks, falcons, and other birds of prey) use Monterey Park for foraging; however, the loss of approximately 6,800 square-feet of non-native turf would not represent a significant loss of feeding area for raptors which use large expanses of territory for foraging.

The skate park location proposed by the applicants would not impact any trees; however, the Planning Commission could require the facility to be shifted closer to the parking lot to improve visibility and public safety. Depending on the chosen location, it is possible that up to six mature trees could be affected, comprised of four non-native eucalyptus and two native California redwoods, neither of which is listed as a threatened or endangered species. If the skate park is approved and shifted to a location which requires tree removal, the project would be required to comply with the City's Community Tree and Forest Management Ordinance, including requirements for tree replacement.

Pursuant with the federal Migratory Bird Treaty Act, a mitigation measure has been incorporated to prohibit construction during the migratory bird nesting season between February 1 and August 15, unless a qualified biologist surveys the area and determines that no nesting birds are present.

Operating Rules and Regulations

The proposed skate park would be subject to existing City regulations, including Municipal Code section 12.54 which establishes rules and regulations for skate parks on public property. Notable rules and regulations include:

- Skaters must wear a properly fitted helmet;
- Skaters under the age of ten must be accompanied by a parent or adult guardian;
- The use of devices other than a skateboard or skates is prohibited;
- No food, beverages, glass, or other breakable items are allowed in the skate park;

- No additional obstacles may be placed in the skate park;
- Reckless behavior which could endanger other users is prohibited;
- Signage containing rules and regulations must be posted and maintained;
- Violators may be issued an infraction and fined;
- The City may immediately close the skate park for up to 72 hours in response to vandalism or graffiti.

In addition, the skate park would be subject to Municipal Code section 9.12 (Noise) and 12.40 (Park Regulations). Section 9.12 prohibits the use of loudspeakers, amplified music, and public address systems unless a special events permit is issued by the City. It also prohibits any loud, boisterous, irritating, or unusual noise between 8:00 am and 10:00 pm. Section 12.40 establishes that public parks shall be closed from sunset until 6:00 am. Because the skate park would involve noise generating activities, its hours of operation would be limited from 8:00 am to dusk under current code provisions. The Planning Commission may adopt additional rules, regulations, or restrictions as necessary to minimize impacts to neighboring land uses.

Park and Recreation Facility Issues

Several issues have been raised related to park facilities, including whether the City needs two skate parks located less than a mile apart; the lack of restrooms at Monterey Park; the desire for a comprehensive park and recreation master plan; increased maintenance costs; and the loss of open space area necessary to support a soccer field.

If the Planning Commission approves the project, staff's recommended project modification to shift the skate park location closer to the street will preserve the potential for a future soccer field. Nevertheless, the other park facility issues are primarily City policy and/or budget related issues which are not addressed by the City's General Plan, Zoning Code, or CEQA. The types of recreational facilities and amenities provided in City parks is a policy issue generally considered by the City Council.

The Planning Commission may consider these policy issues as part of their decision on the project, but they may also choose to base their decision solely on the project's consistency with the General Plan, Zoning Code, and CEQA as park facility policy issues will ultimately be decided by the City Council when they consider the request for a right-of-entry agreement.

CEQA

An Environmental Impact Report (EIR) has been prepared pursuant to the California Environmental Quality Act (CEQA). The Planning Commission must consider the EIR prior to making a decision, make CEQA findings, and adopt the Mitigation, Monitoring, and Reporting Program (MMRP) if they choose to approve the project.

RECOMMENDATION

Staff finds that the proposed skate park use would be consistent with the PF-P zoning district, the P/OS land use designation, applicable General Plan goals and policies, and that all environmental impacts can be mitigated below a level of significance pursuant to CEQA. Therefore, staff recommends the Planning Commission:

1. Adopt the attached Resolution Certifying the Environmental Impact Report and Adopting the Mitigation, Monitoring, and Reporting Program; and

2. Approve a Conditional Use Permit, Design Permit, and Coastal Development Permit to allow construction and operation of a modified project as described as Alternative 1 in the EIR subject to the following conditions and based upon the following findings:

CONDITIONS OF APPROVAL

1. The project approval consists of an approximately 6,000 square-foot skate park located in Monterey Park in the PF-P (Public Facility – Park) zoning district. Improvements consist of a skate park facility, fencing, noise attenuation walls, ADA improvements, and stormwater treatment. No special events or skateboarding competitions are authorized by this permit. The proposed project is approved as indicated on the plans reviewed and approved by the Planning Commission on March 31, 2016, except as modified through conditions imposed by the Planning Commission.
2. Consistent with EIR Alternative 1, the applicant shall submit revised plans which shift the skate park closer to the existing Monterey Park parking lot to improve visibility and public safety. The applicant shall be responsible for preparing and submitting revised plans for the relocated facility. The relocated facility should be designed to avoid impacts to trees to the maximum extent possible. If the ultimate location and orientation of the skate park presents any conflict with other existing park uses, the applicant shall prepare and submit plans which show how adjustments to the park layout could accommodate all uses to the satisfaction of the Community Development Director and Public Works Director. The applicant shall be responsible for any costs associated with design and construction of the skate park facility and any modifications to other park facilities which are necessary to accommodate the skate park.
3. The modified design shall include minimum six-foot high noise attenuation walls along the north and south boundaries of the skate park along the proposed fence line to reduce maximum instantaneous and hourly average noise levels by a minimum of five dBA at the Soquel Union Elementary School District Offices and single-family residences at the west end of Orchid Avenue. Noise barriers shall be constructed from materials having a minimum surface weight of 3 lbs/sf, such as one-inch thick wood fence boards, masonry block, or concrete, and be constructed in a manner free of any cracks or gaps between barrier materials and between the barrier and the ground. Alternately, suitable barrier materials such as Acoustifence by Acoustiblok or ¼-in. plexiglass could be attached to the proposed metal fence surrounding the skate park to provide an equivalent noise level reduction if approved by the Planning Commission or City Council. Proposed noise attenuation walls shall be reviewed by a qualified acoustician and approved by the Community Development Director.
4. The modified design shall include security lighting to softly illuminate the skate park and path leading to the facility. Security lighting shall be restricted to low pressure bulbs affixed to downward casting fixtures to prevent light trespass. Security lighting shall be reviewed and approved by the Community Development Director.
5. The modified design shall include two conspicuous rules and regulations signs to the satisfaction of the Public Works Director.
6. The modified design shall include a minimum of two benches and/or cube style seating outside the facility for parents and spectator use to the satisfaction of the Community Development and Public Works Directors.

7. The modified design shall include a skate board rack and a bicycle rack to the satisfaction of the Community Development and Public Works Directors.
8. The modified design shall include an emergency phone to the satisfaction of the Police Chief and Public Works Director.
9. The modified design shall include a double pedestrian gated entrance to the satisfaction of the Police Chief and Community Development Director.
10. The modified design shall include wood bark chips, or other non-turf/hardscape materials between the skate park and the fence to the satisfaction of the Community Development Director.
11. Prior to issuance of a building and/or grading permits, the applicant shall obtain a right-of-entry permit or equivalent form of permission from the City to construct improvements on public property.
12. Prior to issuance of a building permit or grading permit, all planning fees shall be paid in full.
13. Prior issuance of a building or grading permits, the applicant shall prepare and implement a Soil Management Report which requires all excavated soils to be removed with proper disposal and/or encapsulation to prevent exposure to contaminants found in the soil. The report shall be submitted to the Community Development Department and the County of Santa Cruz Department of Environmental Health. No grading shall occur until the report is approved by the County of Santa Cruz.
14. Prior to issuance of building or grading permits, the applicant shall prepare a Safety Plan to ensure that appropriate worker health and safety measures are in place during grading and construction activities. The plan shall be submitted to the Community Development Department and County of Santa Cruz Department of Environmental Health. No grading shall occur until the plan is approved by the County of Santa Cruz.
15. Prior to issuance of building or grading permits, the applicant shall post a bond, letter of credit, or other acceptable form of construction security to the satisfaction of the City Attorney and Public Works Director.
16. Prior to issuance of building or grading permits, the applicants shall be responsible for funding a detailed inspection by a qualified acoustician of wood fences on the rear property line along Orchid Avenue within 165 feet of the skate park to ensure fences are adequate to attenuate noise as predicted. If the acoustician finds defects in fences, the applicant shall be responsible for funding necessary repairs and/or replacement, and with permission of the property owner, to ensure an acoustically effective six-foot noise barrier.
17. Prior to issuance of building or grading permits, the applicant shall make a fair share contribution in the amount of \$1,507 for the installation of a future traffic signal at the Kennedy Drive/Park Avenue intersection. The City shall deposit the funds into an account designated solely for the installation of a future traffic signal.

18. Prior issuance of a building or grading permits, final building plans shall be submitted consistent with the plans and conditions approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans.
19. Prior issuance of a building or grading permits, conditions of approval and mitigation measures shall be conspicuously shown on the title sheet of building and grading plans and construction contract specifications.
20. Prior issuance of a building or grading permits, 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.
21. Prior issuance of a building or grading permits, the applicant shall submit a drainage plan, grading, sediment and erosion control plan 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.
22. Prior issuance of a building or grading 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).
23. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
24. Pursuant to the federal Migratory Bird Treaty Act, no construction shall occur between February 1 and August 15 unless the site is first surveyed by a qualified biologist who determines that no nesting birds are present.
25. During construction, all worker safety measures identified in a Safety Plan approved by the County of Santa Cruz shall be implemented and followed at all times.
26. Construction activities shall be limited to 8:00 a.m. to 5:00 p.m. on weekdays and 9:00 a.m. to 4:00 p.m. on Saturdays. No Sunday construction is allowed. No grading or use of heavy equipment shall take place when school is in session.
27. Any trees removed or damaged by the project shall be replaced within Monterey Park at a 2:1 ratio. If replacement trees cannot be accommodated within Monterey Park, as determined by the Community Development and Public Works Directors, the applicants may pay in-lieu fees in accordance with the City's Community Tree and Forest Management Ordinance.
28. Prior to issuance of a certificate of occupancy, the applicant shall fund an inspection by a qualified acoustician to verify the six-foot noise walls have been appropriately constructed to ensure effective noise attenuation.
29. 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.

30. Prior to issuance of a certificate of occupancy, any and all damage to the parking lot or other park facilities caused by construction activities shall be repaired per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches, curb, gutter or sidewalk shall comply with Accessibility Standards.
31. 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 17.81.160

FINDINGS

- A. The proposed public skate park, subject to the conditions imposed, is consistent with the P/OS (Parks/Open Space) designation of the General Plan and the PF-P (Public Facility – Park) zoning district.
- B. The proposed public skate park would be consistent with the active park designation of Monterey Park and through incorporation of mitigation measures and conditions of approval, would maintain the character and integrity of the neighborhood.
- C. An Environmental Impact Report (EIR) has been prepared for the project in accordance with the California Environmental Quality Act (CEQA). CEQA findings are included in the Resolution Certifying the EIR and Adopting a Mitigation, Monitoring, and Reporting Program (Attachment 3).

ATTACHMENTS:

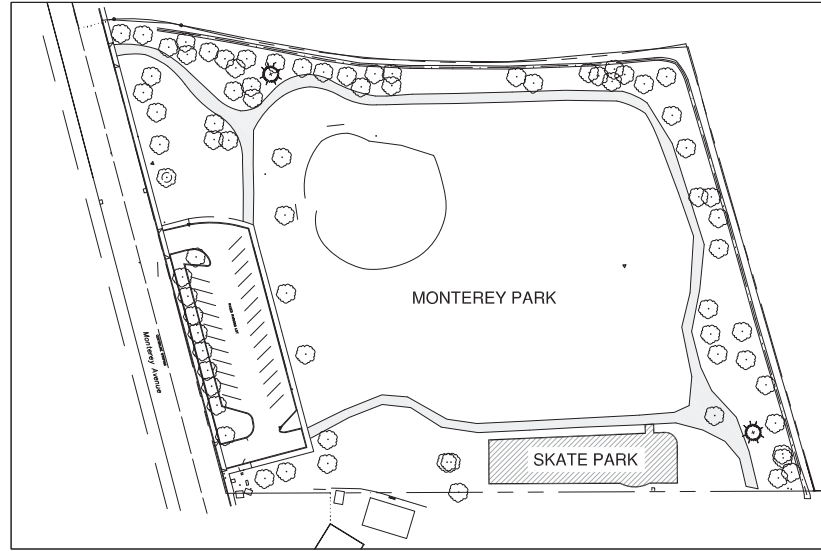
1. Monterey Avenue Skate Park Plans
2. Monterey Avenue Skate Park 3D Model
3. Resolution to Certify the EIR and Adopt the MMRP
4. Coastal Development Permit Findings
5. Crime Prevention through Environmental Design (CPTED) Study
6. Arch and Site Minutes 7.22.2015
7. Public Comments

Prepared By: Rich Grunow
Community Development Director



LOCATION MAP

N.T.S.



AREA OF WORK MAP

N.T.S.

PROJECT TEAM

OWNER'S REPRESENTATIVES
 STEVE JESSBERG - PUBLIC WORKS DIRECTOR
 CITY OF CAPITOLA
 420 CAPITOLA AVENUE
 CAPITOLA, CA 95010
 (831) 475-7300
 (831) 479-8979 FAX

LANDSCAPE ARCHITECT
 TROY MEARS, RLA
 MEARS DESIGN GROUP, LLC
 PO BOX 23338
 PORTLAND, OR 97281
 (503) 601-4516
 (503) 924-4688 FAX

SKATE PARK CONTRACTOR
 MARK SCOTT
 DREAMLAND SKATEPARKS, LLC
 2150 SE HWY 101, PMB 384
 LINCOLN CITY, OR 97367-2622
 (503) 577-9277

GENERAL NOTES

1. BLEND CUT AND FILL SLOPES TO CONFORM TO THE ADJACENT NATURAL GROUND.
2. DO NOT OBTAIN DIMENSIONS BY SCALING DRAWINGS. USE WRITTEN DIMENSIONS AND ANY DISCREPANCY SHALL BE BROUGHT TO THE ATTENTION OF THE OWNER'S REPRESENTATIVE PRIOR TO THE COMMENCEMENT OF WORK.
3. ADVISE THE OWNER'S REPRESENTATIVE OF ANY CONFLICTS OR DISCREPANCIES 5 (FIVE) WORKING DAYS PRIOR TO STARTING WORK.
4. VERIFY LOCATION OF ALL UTILITIES PRIOR TO COMMENCEMENT OF WORK FOR LOCATIONS CONTACT UTILITIES NOTIFICATION CENTER (811) AND CITY OF CAPITOLA PUBLIC WORKS (831) 475-7300 NOT LESS THAN 72 HOURS PRIOR TO BEGINNING WORK.
5. CONTRACTOR TO COORDINATE WITH CITY OF CAPITOLA REPRESENTATIVE REGARDING CONSTRUCTION COORDINATION, SCHEDULING, ETC. SEE SPECIAL PROVISIONS FOR ADDITIONAL INFORMATION.
6. NO LIGHTING IS PROPOSED.

DRAWING INDEX

| SHEET TITLE | SHEET NUMBER |
|---|--------------|
| COVER SHEET | SP1 |
| EXISTING CONDITIONS/DEMOLITION/EROSION CONTROL PLAN | SP2 |
| EROSION & SEDIMENT CONTROL DETAILS & NOTES | SP3 |
| LAYOUT PLAN | SP4 |
| GRADING & DRAINAGE PLAN | SP5 |
| DRAINAGE DETAILS | SP6 |
| REFERENCE PLAN | SP7 |
| CONSTRUCTION DETAIL SHEET | SP8 |
| CONSTRUCTION DETAIL SHEET | SP9 |
| CONSTRUCTION DETAIL SHEET | SP10 |



MONTEREY AVENUE SKATEPARK
 MONTEREY PARK
 POURED-IN-PLACE CONCRETE
 CAPITOLA, CALIFORNIA

| REV. | DATE | DESCRIPTION |
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SHEET NAME:
COVER SHEET

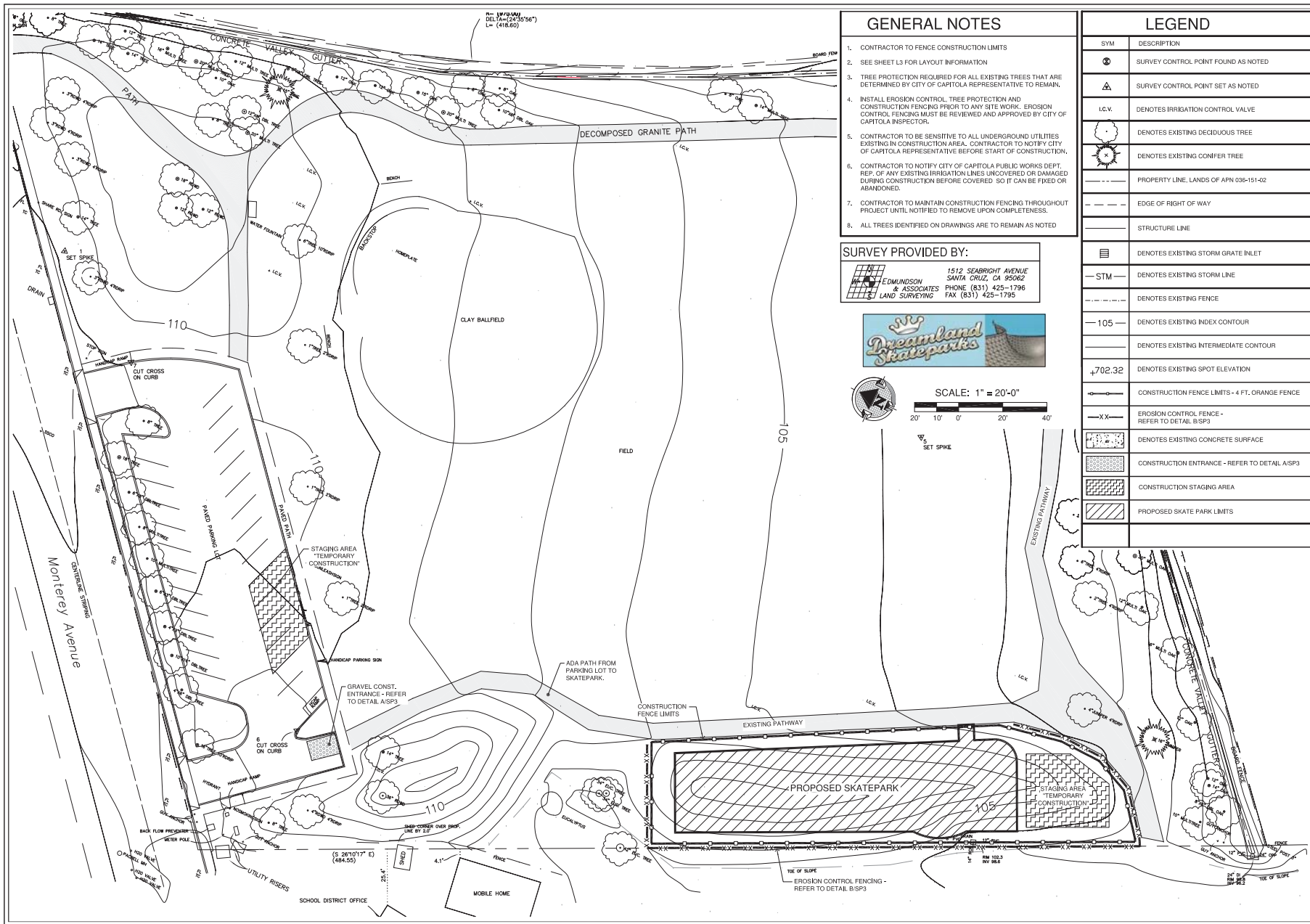
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 CHECKED BY: TMM
 ISSUE DATE: 04/15/2015
 JOB NO.: 1502

SHEET:
SP1

ASSESSOR PARCEL NUMBER: 036-151-01 & 02

OF 10 PERMIT SET

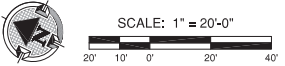
4.A.1



- ### GENERAL NOTES
1. CONTRACTOR TO FENCE CONSTRUCTION LIMITS
 2. SEE SHEET L3 FOR LAYOUT INFORMATION
 3. TREE PROTECTION REQUIRED FOR ALL EXISTING TREES THAT ARE DETERMINED BY CITY OF CAPITOLA REPRESENTATIVE TO REMAIN.
 4. INSTALL EROSION CONTROL, TREE PROTECTION AND CONSTRUCTION FENCING PRIOR TO ANY SITE WORK. EROSION CONTROL FENCING MUST BE REVIEWED AND APPROVED BY CITY OF CAPITOLA INSPECTOR.
 5. CONTRACTOR TO BE SENSITIVE TO ALL UNDERGROUND UTILITIES EXISTING IN CONSTRUCTION AREA. CONTRACTOR TO NOTIFY CITY OF CAPITOLA REPRESENTATIVE BEFORE START OF CONSTRUCTION.
 6. CONTRACTOR TO NOTIFY CITY OF CAPITOLA PUBLIC WORKS DEPT. RE: IF ANY EXISTING IRRIGATION LINES UNCOVERED OR DAMAGED DURING CONSTRUCTION BEFORE COVERED SO IT CAN BE FIXED OR ABANDONED.
 7. CONTRACTOR TO MAINTAIN CONSTRUCTION FENCING THROUGHOUT PROJECT UNTIL NOTIFIED TO REMOVE UPON COMPLETENESS.
 8. ALL TREES IDENTIFIED ON DRAWINGS ARE TO REMAIN AS NOTED

SURVEY PROVIDED BY:

EDMONDSON & ASSOCIATES
 LAND SURVEYING
 1512 SCARBOROUGH AVENUE
 SANTA CRUZ, CA 95062
 PHONE (831) 425-1796
 FAX (831) 425-1795



LEGEND

| SYM | DESCRIPTION |
|-----------------------|--|
| ⊙ | SURVEY CONTROL POINT FOUND AS NOTED |
| ⚠ | SURVEY CONTROL POINT SET AS NOTED |
| I.C.V. | NOTES IRRIGATION CONTROL VALVE |
| (Tree symbol) | NOTES EXISTING DECIDUOUS TREE |
| (Star symbol) | NOTES EXISTING CONIFER TREE |
| --- | PROPERTY LINE, LANDS OF APN 036-151-02 |
| - - - - | EDGE OF RIGHT OF WAY |
| ▬ | STRUCTURE LINE |
| ▬ | NOTES EXISTING STORM GRATE INLET |
| - STM - | NOTES EXISTING STORM LINE |
| - - - - - | NOTES EXISTING FENCE |
| - 105 - | NOTES EXISTING INDEX CONTOUR |
| - - - - - | NOTES EXISTING INTERMEDIATE CONTOUR |
| 4,702.32 | NOTES EXISTING SPOT ELEVATION |
| ⬮ | CONSTRUCTION FENCE LIMITS - 4 FT, ORANGE FENCE |
| - X X - | EROSION CONTROL FENCE - REFER TO DETAIL B/SP3 |
| (Dotted pattern) | NOTES EXISTING CONCRETE SURFACE |
| (Cross-hatch pattern) | CONSTRUCTION ENTRANCE - REFER TO DETAIL A/SP3 |
| (Diagonal lines) | CONSTRUCTION STAGING AREA |
| (Hatched pattern) | PROPOSED SKATE PARK LIMITS |

MEARS DESIGN GROUP
 LANDSCAPE ARCHITECTURE & PLANNING
 PO Box 23338 | Portland, Oregon | 97281
 Phone: 503.501.4510 | Fax: 503.504.4681



MONTEREY AVENUE SKATEPARK
 MONTEREY PARK
 POURED-IN-PLACE CONCRETE
 CAPITOLA, CALIFORNIA

REVISIONS

| REV. | DATE | DESCRIPTION |
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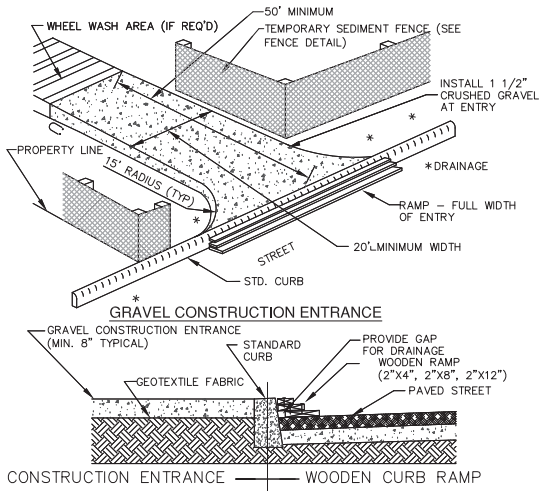
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EXISTING CONDITION EROSION CONTROL

DRAWN BY: TAM
 CHECKED BY: TAM
 ISSUE DATE: 04/15/2015
 JOB NO.: 1502

SHEET:
SP2
 OF 10 PERMIT SET

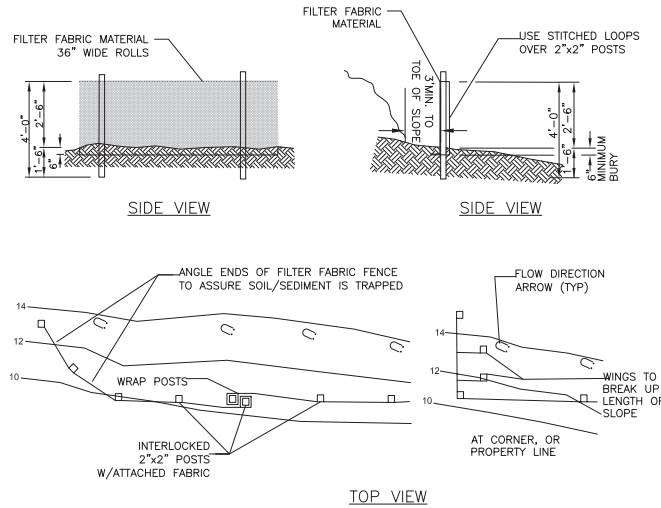
4.A.1

Attachment: Monterey Avenue Skate Park Plans (1416 : Monterey Avenue Skate Park)



A GRAVEL CONSTRUCTION ENTRANCE
SP3 N.T.S.

NOT USED

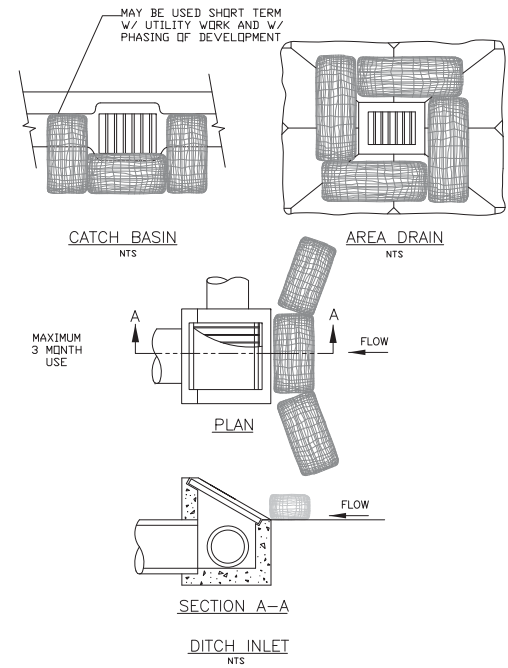


B TEMPORARY SEDIMENT FENCE
SP3 N.T.S.

SEDIMENT FENCE NOTES:

1. The filter fabric shall be purchased in a continuous roll cut to the length of the barrier to avoid use of joints. When joints are necessary, filter cloth shall be spliced together only at a support post, with a minimum 6-inch overlap, and both ends securely fastened to the post, or overlap 2 inch x 2 inch posts and attach as shown on detail sheet SP3.
2. The filter fabric fence shall be installed to follow the contours where feasible. The fence posts shall be spaced a maximum of 6 feet apart and driven securely into the ground a minimum of 24 inches.
3. The filter fabric shall have a minimum vertical burial of 6 inches. All excavated material from filter fabric fence installation, shall be backfilled and compacted, along the entire disturbed area.
4. Standard or heavy duty filter fabric fence shall have manufactured stitched loops for 2 inch x 2 inch post installation. Stitched loops shall be installed on the up hill side of the sloped area.
5. Filter fabric fences shall be removed when they have served their useful purpose, but not before the upslope area has been permanently protected and stabilized.
6. Filter fabric fences shall be inspected by contractor immediately after each rainfall and at least daily during prolonged rainfall. Any required repairs shall be made immediately.

NOT USED



C BIO-FILTER BAGS FOR TEMPORARY INLET PROTECTION
SP3 N.T.S.

EROSION CONTROL NOTES:

- A. Approval of this erosion, sediment and pollution control plan (ESPCP) does not constitute an approval of permanent road or drainage design (e.g., size and location of roads, pipes, restrictors, channels, retention facilities, utilities, etc.)
- B. The implementation of this ESPCP and the construction, maintenance, replacement, and upgrading of these ESPCP facilities is the responsibility of the contractor until all construction is completed and approved and vegetation/landscaping is established.
- C. The boundaries of the clearing limits shown on this plan shall be clearly flagged in the field prior to construction. During the construction period, no disturbance beyond the flagged clearing limits shall be permitted. The flagging shall be maintained by the contractor for the duration of construction.
- D. The ESPCP facilities shown on this plan must be constructed in conjunction with all clearing and grading activities, and in such a manner as to insure that sediment and sediment laden water do not enter the drainage system, roadways, or violate applicable water standards.
- E. The ESPCP facilities shown on this plan are the minimum requirements for anticipated site conditions. During the construction period, these ESPCP facilities shall be upgraded as needed for unexpected storm events and to ensure that sediment and sediment-laden water do not leave the site.
- F. The ESPCP facilities shall be inspected daily by the contractor and maintained as necessary to ensure their continued functioning.
- G. The ESPCP facilities on inactive sites shall be inspected and maintained a minimum of once a month or within the 24 hours following a storm event.
- H. Stabilized construction entrances shall be installed at the beginning of construction and maintained for the duration of the project. Additional measures may be required to insure that all paved areas are kept clean for the duration of the project.



MEARS DESIGN GROUP
LANDSCAPE ARCHITECTURE & PLANNING
PO Box 23338 Portland, Oregon 97281
Phone: 503.651.4516 Fax: 503.964.4681



MONTEREY AVENUE SKATEPARK
MONTEREY PARK
POURED-IN-PLACE CONCRETE
CARTOLLA, CALIFORNIA

| REV. | DATE | DESCRIPTION |
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SHEET NAME:
EROSION CONTROL DETAILS & NOTES

DRAWN BY: TMM
CHECKED BY: JAM
ISSUE DATE: 04/15/2015
JOB NO.: 1502

SHEET:

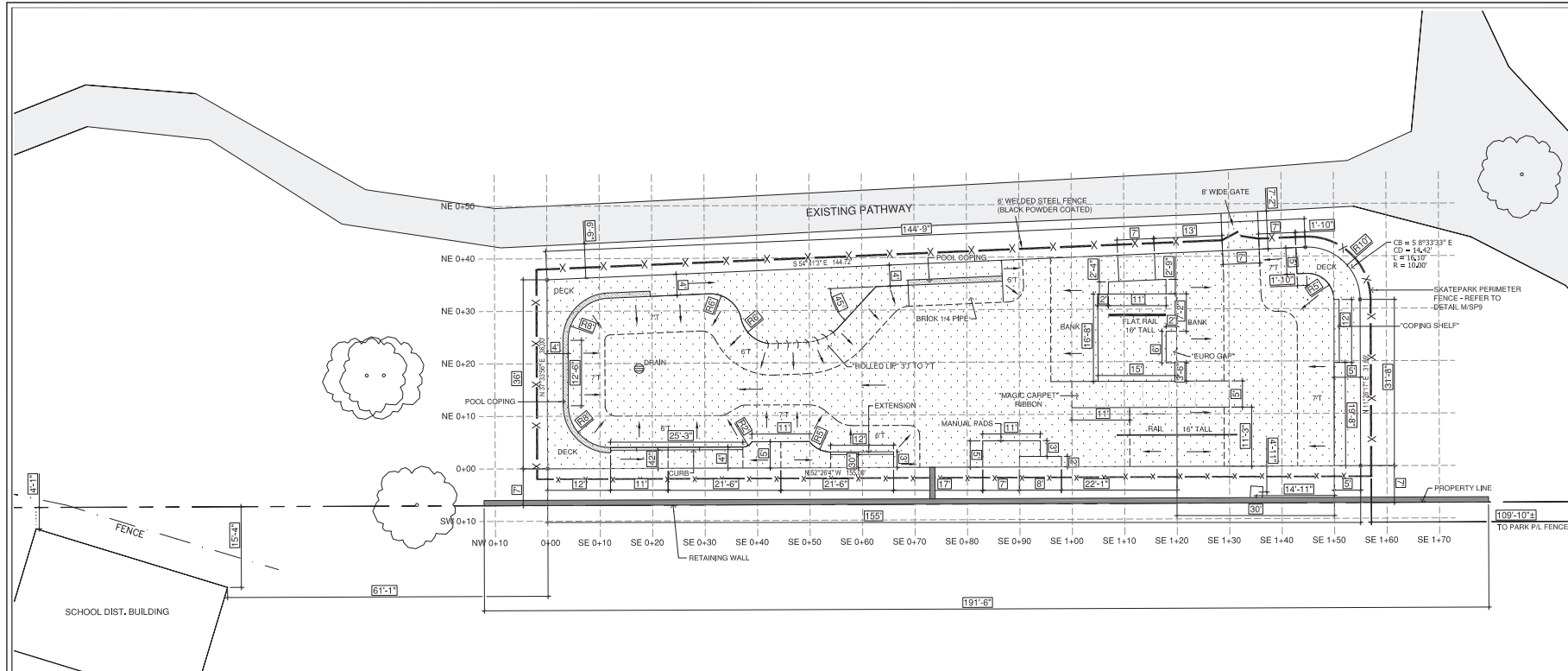
SP3

OF 10 PERMIT SET

4.A.1



MONTEREY AVENUE SKATEPARK
 MONTEREY PARK
 POURED-IN-PLACE CONCRETE
 CAPITOLA, CALIFORNIA



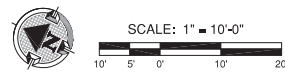
SKATEPARK SQUARE FOOTAGE AREAS:

| | |
|--|-----------------|
| DECK AREA: | 1,181 SF |
| FLAT AREA: | 2,224 SF |
| TRANSITION AREA: | 1,560 SF |
| BANK AREA: | 688 SF |
| LEDGE AREA: | 375 SF |
| TOTAL SKATEPARK AREA: | 6,028 SF |
| BUFFER BETWEEN SKATEPARK FENCE & CONCRETE SKATEPARK: | 783 SF |
| TOTAL AREA (INSIDE SKATEPARK FENCE): | 6,811 SF |

LAYOUT LEGEND

| SYM | DESCRIPTION |
|-----------|--|
| | SKATEPARK LIMITS OF CONSTRUCTION |
| R | RADIUS AS INDICATED |
| T | TRANSITION AS INDICATED |
| L | LENGTH AS INDICATED |
| CB | CHORD BEARING AS INDICATED |
| CD | CHORD DISTANCE AS INDICATED |
| | STEEL FLAT RAIL / RAILING AS INDICATED |
| | PROPOSED FLOOR DRAIN |
| | BOTTOM OF TRANSITION RAMP |
| | STEEL COPING |
| | 6 FT. BLACK POWDER COATED WELDED STEEL FENCE - REFER TO DETAIL M/SP9 |

- LAYOUT NOTES**
- ALL TRANSITIONS OF WALKS AND CURBS SHALL BE CONSTRUCTED TO A SMOOTH CURVE. ALL ADJUSTMENTS OF THE "LAYOUT" SHALL BE APPROVED BY CITY OF CAPITOLA PRIOR TO CONSTRUCTION.
 - SKATEPARK CONTRACTOR RESPONSIBLE FOR SKATEPARK LAYOUT. FINAL APPROVAL REQUIRED BY CITY OF CAPITOLA REPRESENTATIVE.
 - THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE VERIFICATION OF THE LOCATIONS OF ALL UTILITIES IN THE FIELD. LOCATIONS SHOWN ON THE PLAN ARE APPROXIMATE AND FOR GENERAL INFORMATION ONLY.
 - ALL "LAYOUT" WORK SHALL BE APPROVED BY CITY OF CAPITOLA PRIOR TO THE START OF ANY EXCAVATION.
 - DIMENSIONS FOR WALKS, CURB WALLS AND CURBS ARE AT CENTER LINE OR ON THE SIDE SHOWN ON THE PLAN.
 - THE CONTRACTOR SHALL BE RESPONSIBLE TO CONSTRUCT ALL CONCRETE WORK USING FORM LUMBER AND STAKES STRONG ENOUGH AND AT INTERVALS FREQUENT ENOUGH TO ASSURE ACCURATE ANGLES & SMOOTH CONTINUOUS RAILS.
 - CONTRACTOR IS REQUIRED TO RE-SEED ALL SCARRED AREAS DUE TO CONSTRUCTION WITH CITY APPROVED SEED MIX.
 - CONTRACTOR TO REPAIR AND ADJUST ALL EXISTING IRRIGATION DAMAGED OR REMOVED DUE TO SKATEPARK CONSTRUCTION. FINISHED IRRIGATION PRODUCT IS TO BE INSTALLED TO COVER ALL EXISTING AND NEWLY PLANTED SEED AREAS WITH MINIMAL THROUGH ON HARD SURFACES. FINAL PRODUCT IS TO BE APPROVED BY OWNER'S REPRESENTATIVE. CONTRACTOR TO ASSESS BY CITY OF CAPITOLA STANDARDS.
 - NO LIGHTING IS PROPOSED.
 - ALL EXCAVATED MATERIAL(S) TO BE TRANSPORTED OFF-SITE TO AN ACCEPTABLE DISPOSAL SITE DUE TO ARSENIC CONTAMINATION.



REVISIONS

| REV. | DATE | DESCRIPTION |
|------|----------|-------------|
| 1 | 11/20/11 | 08 Comments |
| 2 | 11/20/11 | 08 Comments |
| 3 | 11/20/11 | 08 Comments |
| 4 | 11/20/11 | 08 Comments |
| 5 | 11/20/11 | 08 Comments |
| 6 | 11/20/11 | 08 Comments |
| 7 | 11/20/11 | 08 Comments |
| 8 | 11/20/11 | 08 Comments |
| 9 | 11/20/11 | 08 Comments |
| 10 | 11/20/11 | 08 Comments |

SHEET NAME:
SKATEPARK LAYOUT PLAN

DRAWN BY: TAM
 CHECKED BY: TAM
 ISSUE DATE: 04/15/2012
 JOB NO.: 102

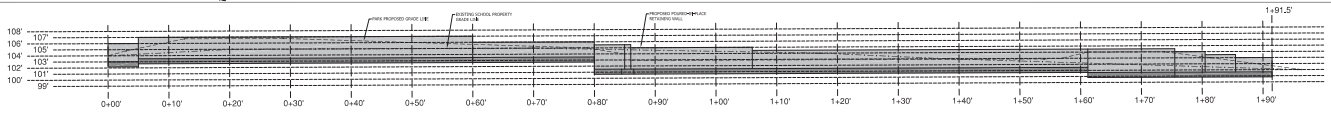
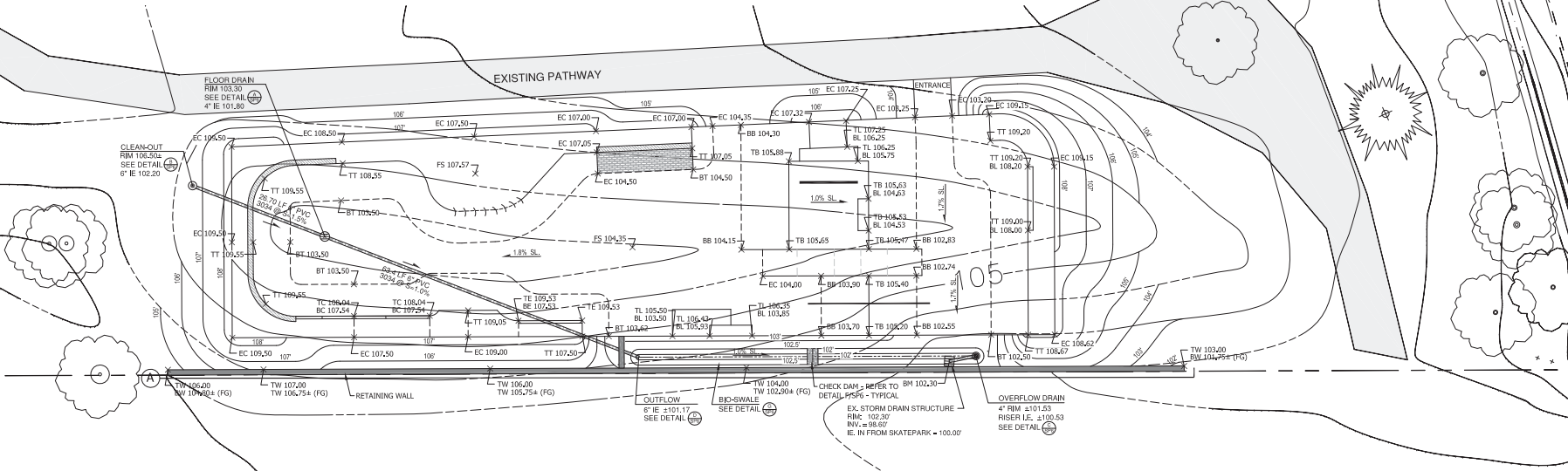
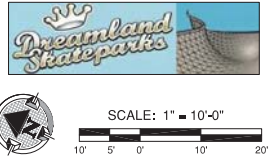
SHEET:
SP4
 OF 10 PERMIT SET

GRADING/DRAINAGE LEGEND

| SYM | DESCRIPTION | SYM | DESCRIPTION |
|-----------|--------------------------------------|-----|---|
| FS 103.25 | PROPOSED ELEVATION AT FINISH GRADE | RM | RIM ELEVATION |
| | EXISTING CONTOURS | IE | INVERT ELEVATION |
| | PROPOSED CONTOURS | HP | HIGH POINT |
| FS | FINISH SURFACE ELEVATION | BM | BENCH MARK - AS NOTED |
| FG | FINNISH GRADE | EC | EDGE OF CONCRETE |
| TB | TOP OF BANK AT FINISH GRADE | TW | TOP OF WALL |
| BB | BOTTOM OF BANK AT FINISH GRADE | BW | BOTTOM OF WALL |
| BL | BOTTOM OF LEDGE AT FINISH GRADE | | SLOPE DIRECTION |
| TL | TOP OF LEDGE AT FINISH GRADE | | 6" CLEAN-OUT - SEE DETAIL B/SPS |
| TT | TOP OF TRANSITION AT FINISH GRADE | | 6" FLOOR DRAIN - SEE DETAIL A/SPS |
| BT | BOTTOM OF TRANSITION AT FINISH GRADE | | EXISTING STORM DRAIN STRUCTURE |
| FG | FINISH GRADE | | STORM DRAIN LINE - (3034) - SIZE AS NOTED |

GRADING/DRAINAGE NOTES

- THIS PLAN PROVIDES GENERAL GRADING INFORMATION. ALL SURVEYING SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
- EXPORTATION OF SOIL, WHICH MAY BE NECESSARY TO MEET THE GRADES SHOWN ON THIS PLAN, SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR AND SHALL BE PART OF THIS CONTRACT.
- CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFICATION OF THE LOCATION OF ALL EXISTING UTILITIES IN THE FIELD. LOCATIONS SHOWN ON THE PLANS ARE APPROXIMATE AND FOR GENERAL INFORMATION ONLY.
- ALL HIGH POINTS, LOW POINTS, OR GRADE BREAKS ON CONCRETE SURFACES SHALL HAVE A SMOOTH CURVE. CONCRETE SHALL NOT BE BUILT TO A POINT.
- THE CONTRACTOR SHALL MATCH THE NEW GRADES WITHIN THE LIMITS OF WORK TO THE EXISTING GRADES.
- CONTRACTOR SHALL PROVIDE SECURITY BARRIER DURING CONSTRUCTION & UNTIL ACCEPTED.
- EROSION CONTROL FENCING REQUIRED TO BE IN PLACE PRIOR TO ANY SITE WORK.
- ALL WORK SHALL BE COMPLETED IN CONFORMANCE WITH THE PHASE III ENVIRONMENTAL SITE ASSESSMENT (WEBER, HAYES, AND ASSOCIATES, 9/23/15).
- ALL EXCAVATED MATERIAL SHALL EITHER BE HAULLED OFFSITE AND DISPOSED OF AT AN APPROPRIATE LOCATION OR ENCAPSULATED TO THE SATISFACTION OF THE COUNTY OF SANTA CRUZ DEPARTMENT OF ENVIRONMENTAL HEALTH.



A RETAINING WALL ELEVATION

SCALE: 1" = 10'-0"



MONTEREY AVENUE SKATEPARK
MONTEREY PARK
POURED-IN-PLACE CONCRETE
CARTOLIA, CALIFORNIA

REVISIONS

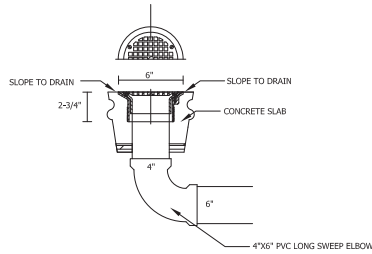
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| 4 | 11/20/15 | AS SHOWN |
| 5 | 11/20/15 | AS SHOWN |
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| 8 | 11/20/15 | AS SHOWN |
| 9 | 11/20/15 | AS SHOWN |
| 10 | 11/20/15 | AS SHOWN |

SHEET NAME:
SKATEPARK GRADING/DRAINAGE

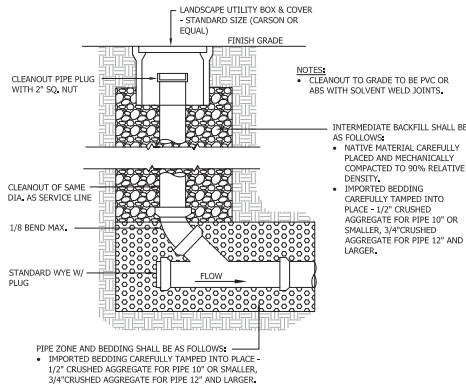
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ISSUE DATE: 04/15/2015
JOB NO.: 1502

SHEET:
SP5
OF 10 PERMIT SET

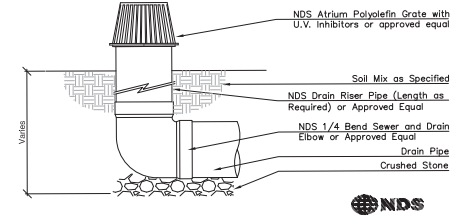
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A
SP6 **JSC FLOOR DRAIN (D53072)**
JONES STEPHENS CORP.
(OR EQUAL) N.T.S.



B
SP6 **CLEAN OUT DETAIL**
N.T.S.

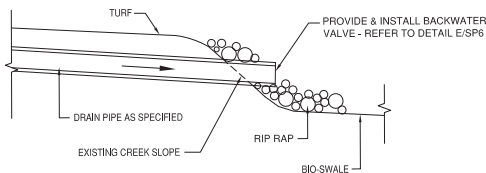


C
SP6 **NDS ATRIUM GRATE SWALE OUTLET**
(OR APPROVED EQUAL) N.T.S.

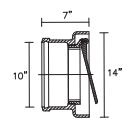
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| SHEET NAME: DRAINAGE DETAILS & NOTES | |
| DRAWN BY: | TAM |
| CHECKED BY: | TAM |
| ISSUE DATE: | 04/15/2015 |
| JOB NO.: | 1502 |

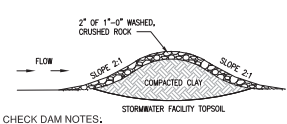
SHEET:
SP6
OF 10 PERMIT SET



D
SP6 **INCOMING FLOW TO CREEK**
N.T.S.

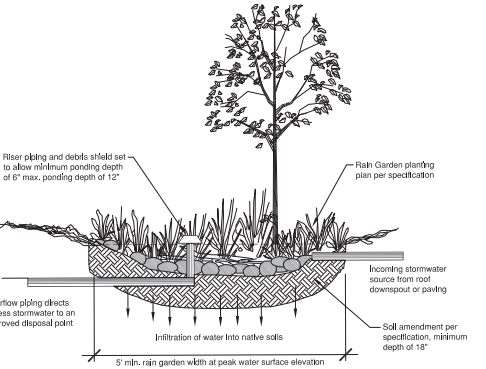


E
SP6 **ZURN BACKWATER VALVE
FLAPPER TYPE (Z1091)**
N.T.S.



F
SP6 **SOIL & CHECK DAM DETAIL**
N.T.S.

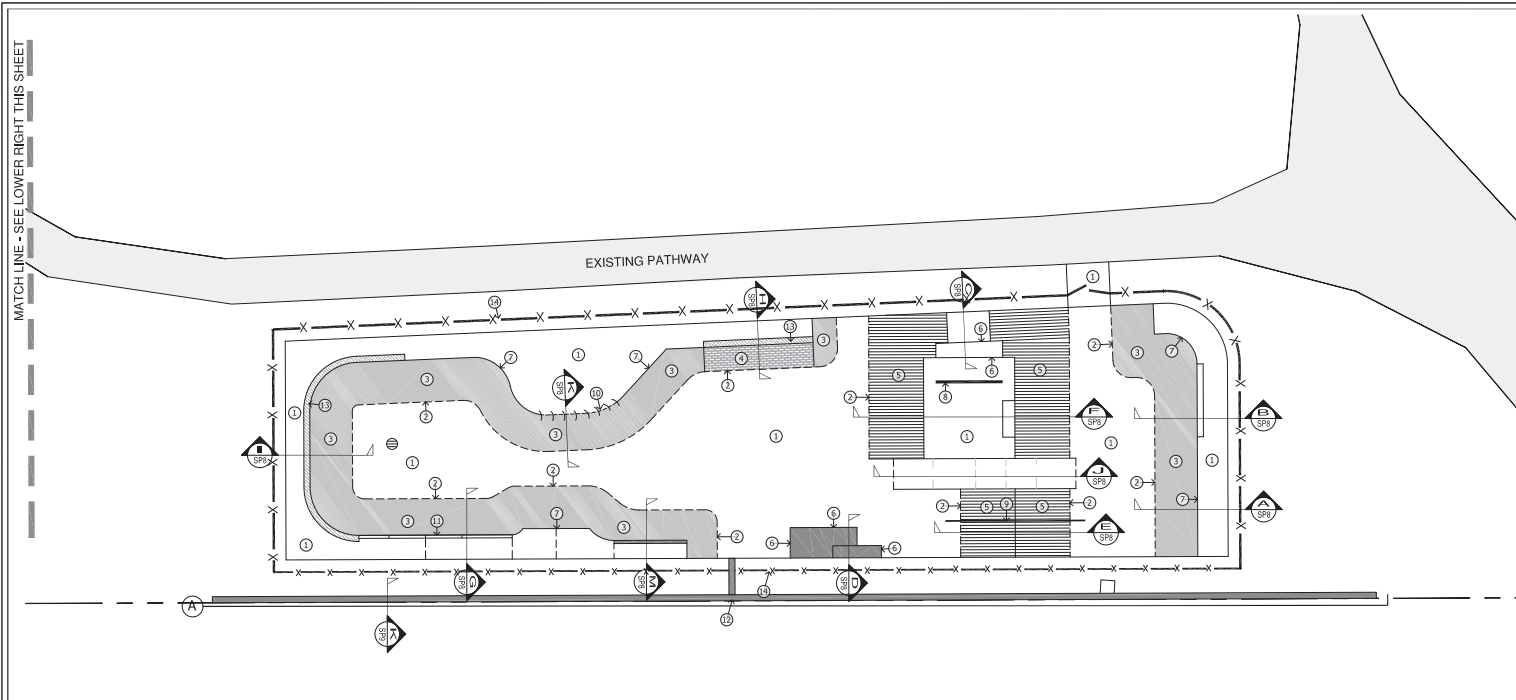
- CHECK DAM NOTES:**
- CHECK DAMS TO BE EVENLY SPACED BETWEEN INLET AND OUTLET. ADDITIONAL REQUIREMENTS MAY BE NECESSARY ON STEEP SLOPES.
 - ADDITIONAL INLETS TO BE PLACED DOWNSTREAM OF CHECK DAMS.
 - HEIGHT OF CHECK DAM 2" LESS THAN DEPTH OF FACILITY TYPICAL.



G
SP6 **BIO-SWALE DETAIL**
N.T.S.

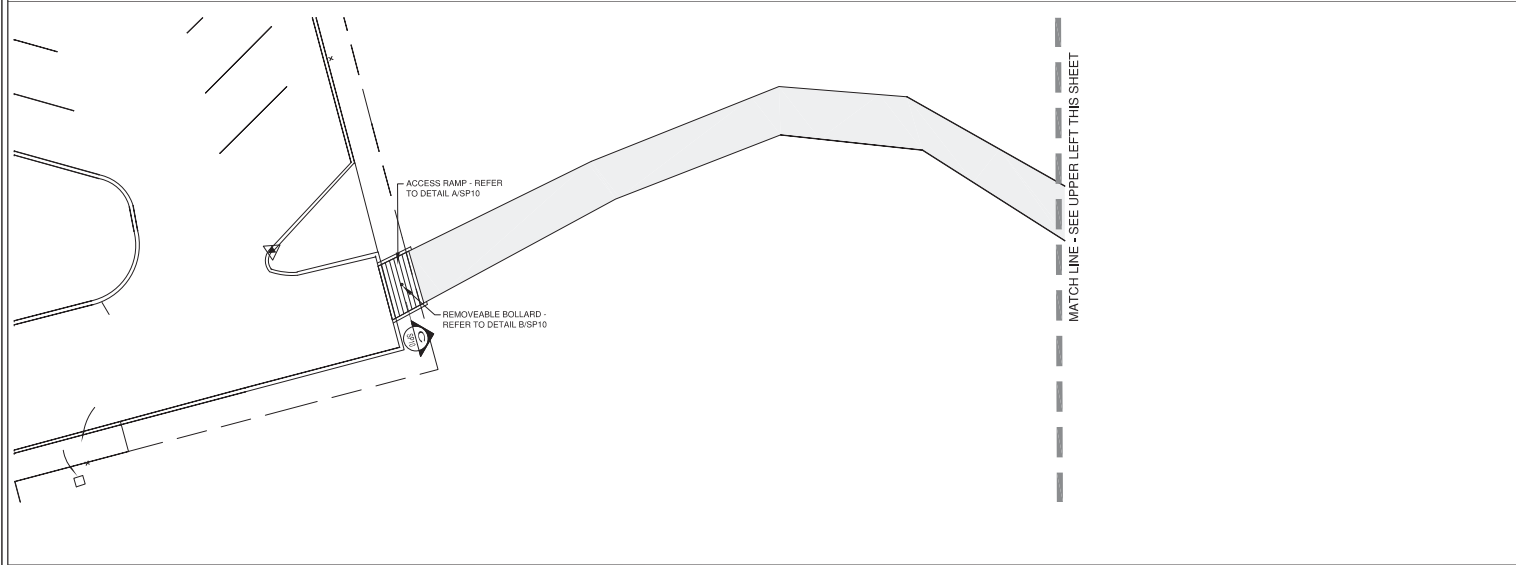
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NOT USED



| REFERENCE LEGEND | |
|------------------|---|
| SYM | DESCRIPTION |
| | INDICATES "BANK" INSTALLATION |
| | INDICATES "TRANSITIONAL" INSTALLATION |
| | INDICATES "LEDGE" INSTALLATION |
| | INDICATES EXISTING PARK WALKWAY TO REMAIN |

- REFERENCE NOTES**
- ① CONCRETE PAVING (POURED-IN-PLACE) - SEE DETAIL A/SP9
 - ② TOE CONNECTION - SEE DETAIL D/SP9
 - ③ TRANSITION RAMP (SHOTCRETE) - SEE DETAIL A/SP8, B/SP8, G/SP8, H/SP8, J/SP8, K/SP8, M/SP8 & G/SP8
 - ④ BRICK BANK (STAMPED) - SEE DETAIL H/SP8
 - ⑤ CONCRETE BANK - SEE DETAILS E/SP8 & F/SP8
 - ⑥ STEEL EDGING - SEE DETAIL F/SP9
 - ⑦ STEEL COPING - SEE DETAIL E/SP9
 - ⑧ FLAT RAIL - SEE DETAIL H/SP9
 - ⑨ A-FRAME RAILING - SEE DETAIL E/SP8
 - ⑩ ROLL-IN TRANSITION - SEE DETAILS K/SP9
 - ⑪ "HELL" CURB - SEE DETAIL G/SP8
 - ⑫ POURED-IN-PLACE RETAINING WALL - SEE DETAIL K/SP9
 - ⑬ POOL COPING - SEE DETAIL I/SP9
 - ⑭ 6'-0" HT. PERIMETER FENCE - SEE DETAIL M/SP9
- * ALL SKATEPARK CONTROL JOINTS, EXPANSION JOINTS & CONSTRUCTION JOINTS WITHIN THE SKATE PARK ARE AT THE DISCRETION OF THE DESIGN/BUILD CONTRACTOR.

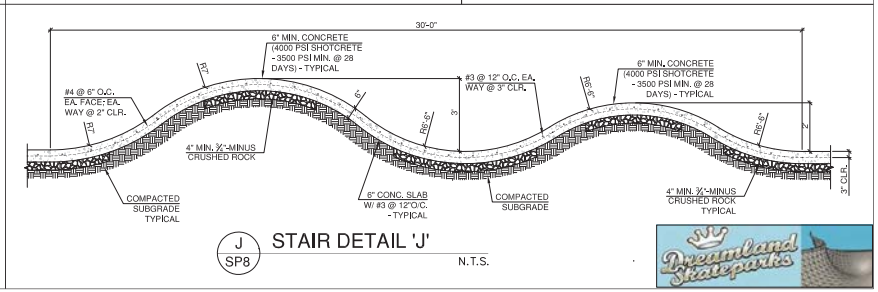
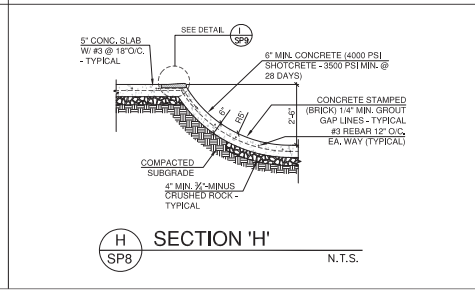
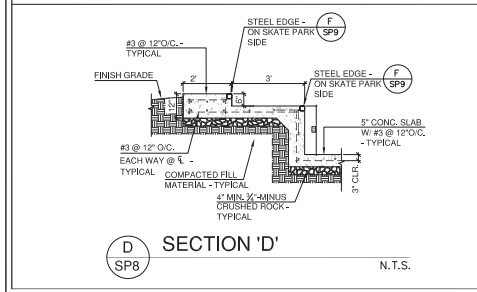
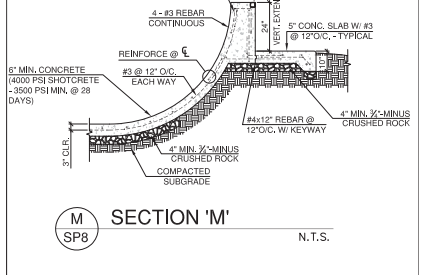
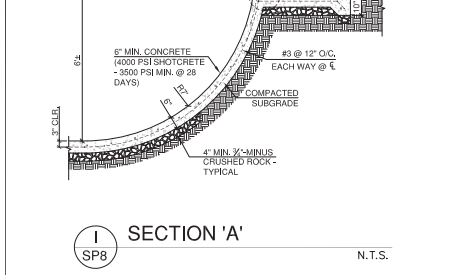
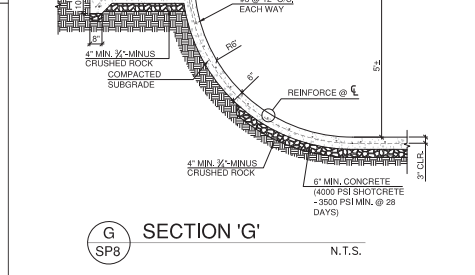
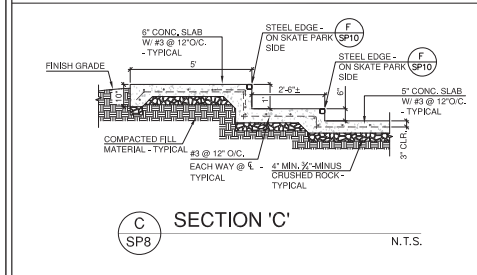
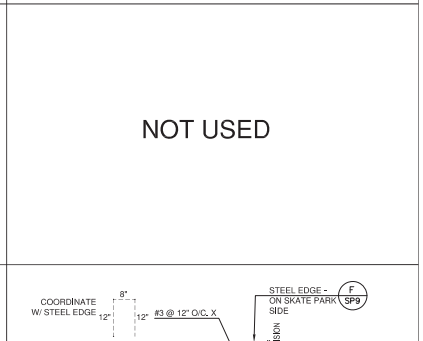
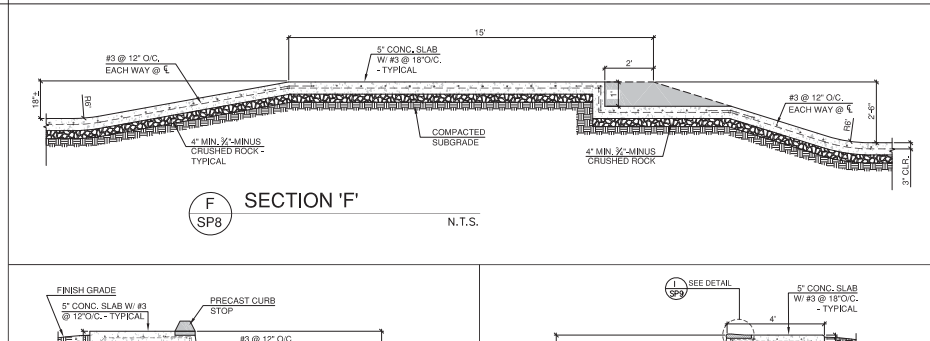
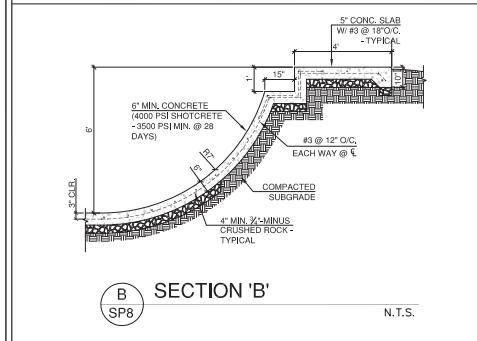
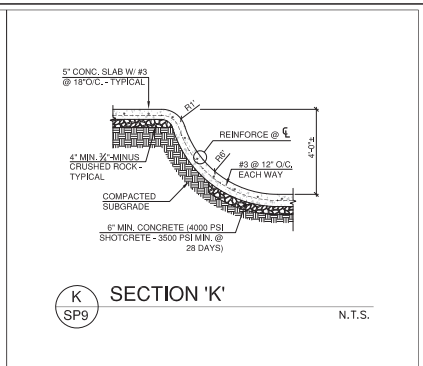
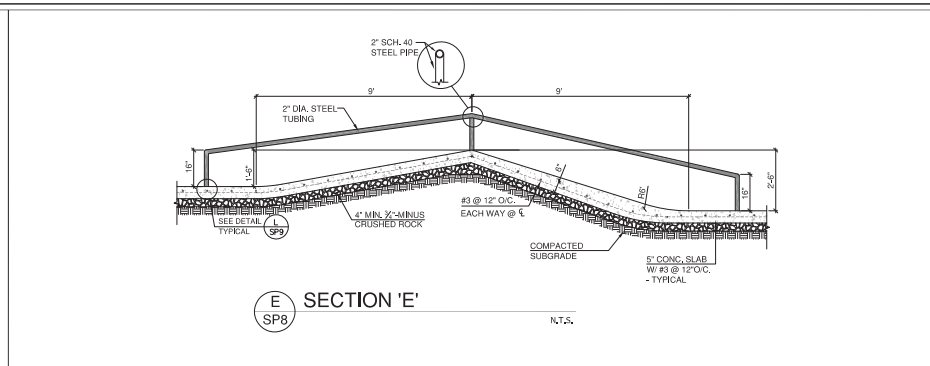
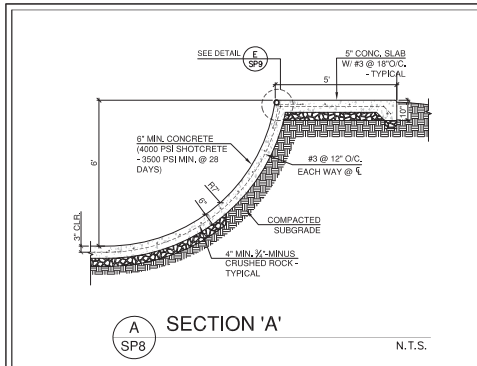


MONTEREY AVENUE SKATEPARK
 MONTEREY PARK
 POURED-IN-PLACE CONCRETE
 CARROLLA, CALIFORNIA

| REVISIONS | | |
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| REV. | DATE | DESCRIPTION |
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| SHEET NAME: SKATEPARK REFERENCE PLAN | |
| DRAWN BY: | TAM |
| CHECKED BY: | TAM |
| ISSUE DATE: | 04/15/2015 |
| JOB NO.: | 1502 |
| SHEET: SP7 | |
| OF 10 PERMIT SET | |

SCALE: 1" = 10'-0"



MEARS DESIGN+GROUP
LANDSCAPE ARCHITECTURE & PLANNING
PO Box 23338 Portland, Oregon 97281
Phone: 503.601.4510 Fax: 503.924.4688



MONTEREY AVENUE SKATE PARK
MONTEREY PARK
POURED-IN-PLACE CONCRETE
CARTOLA, CALIFORNIA

REVISIONS

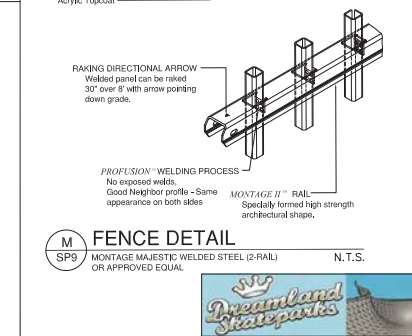
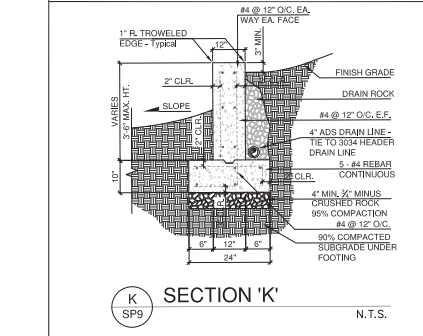
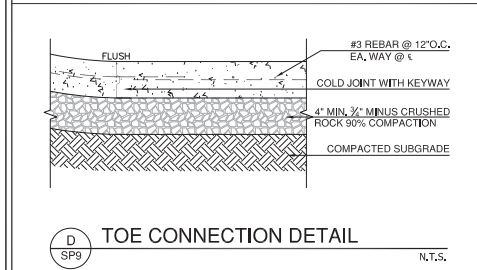
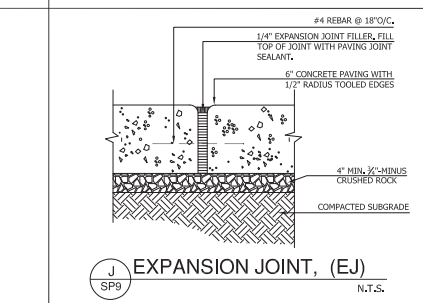
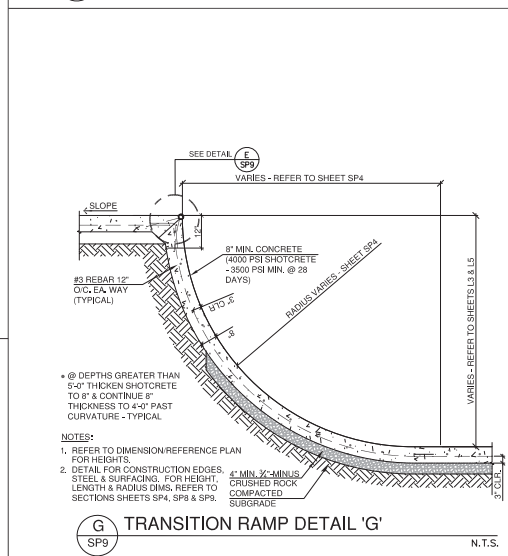
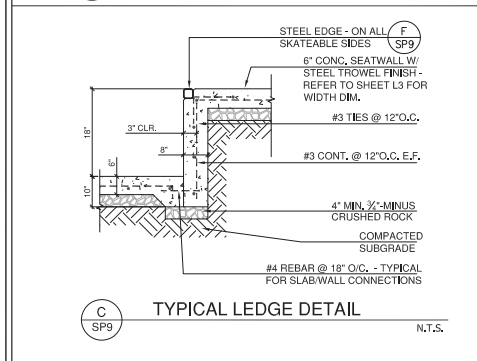
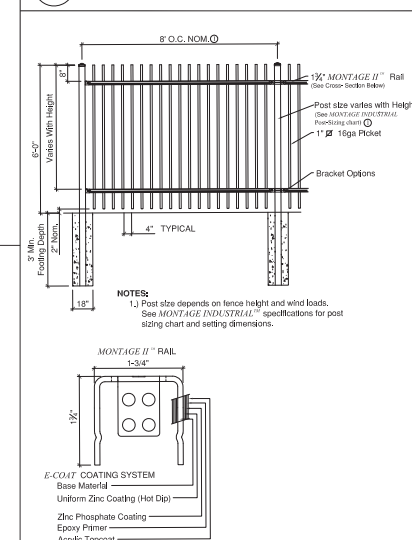
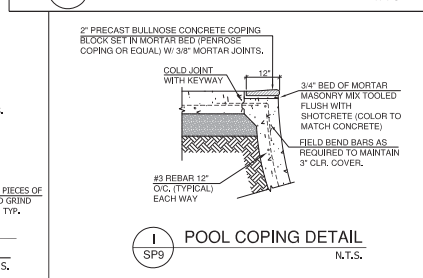
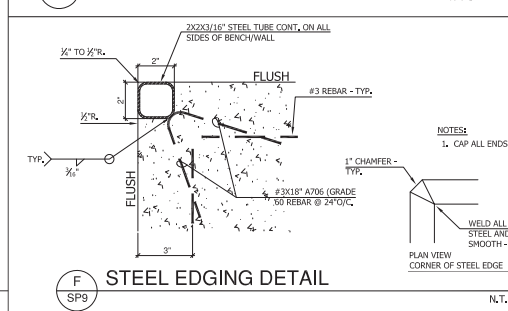
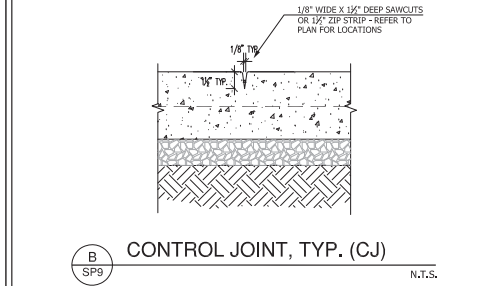
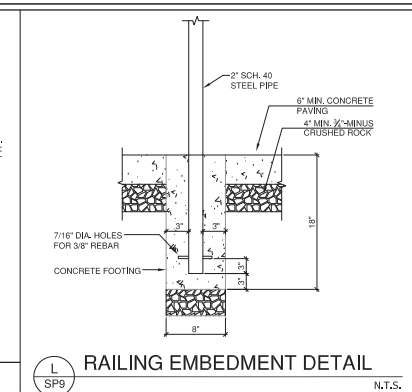
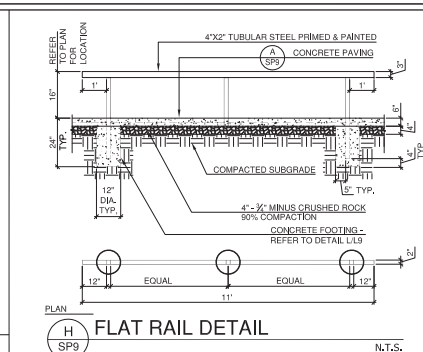
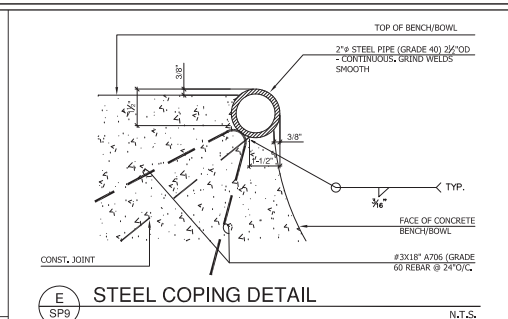
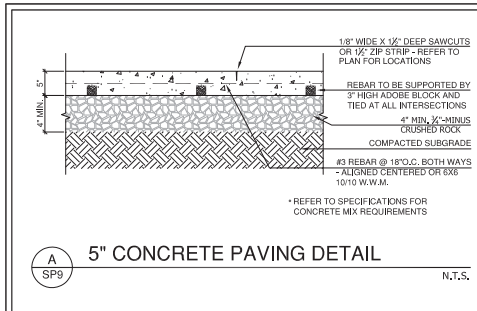
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| 2 | 11/11/2011 | 04 Comments |
| 3 | 11/11/2011 | 04 Comments |
| 4 | 11/11/2011 | 04 Comments |
| 5 | 11/11/2011 | 04 Comments |
| 6 | 11/11/2011 | 04 Comments |
| 7 | 11/11/2011 | 04 Comments |
| 8 | 11/11/2011 | 04 Comments |
| 9 | 11/11/2011 | 04 Comments |
| 10 | 11/11/2011 | 04 Comments |

SHEET NAME:
**SKATEPARK
DETAILS & NOTES**

DRAWN BY: TAM
CHECKED BY: TAM
ISSUE DATE: 04/12/2012
JOB NO.: 1002

SHEET:
SP8
OF 10 PERMIT SET





MEARS DESIGN GROUP
LANDSCAPE ARCHITECTURE & PLANNING
PO Box 23336 | Perris, CA 92371 | 97281
Phone: 503.601.4510 | Fax: 503.604.4681

LANDSCAPE ARCHITECT
STATE OF CALIFORNIA
NO. 10000

MONTEREY AVENUE SKATEPARK
MONTEREY PARK
POURED-IN-PLACE CONCRETE
CARTOLA, CALIFORNIA

REVISIONS

| REV. | DATE | DESCRIPTION |
|------|----------|-------------|
| 1 | 05/20/11 | 04 Comments |
| 2 | 07/20/11 | 04 Comments |
| 3 | 07/20/11 | 04 Comments |
| 4 | 07/20/11 | 04 Comments |
| 5 | 07/20/11 | 04 Comments |
| 6 | 07/20/11 | 04 Comments |
| 7 | 07/20/11 | 04 Comments |
| 8 | 07/20/11 | 04 Comments |
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SHEET NAME:
SKATEPARK DETAILS & NOTES

DRAWN BY: TAM

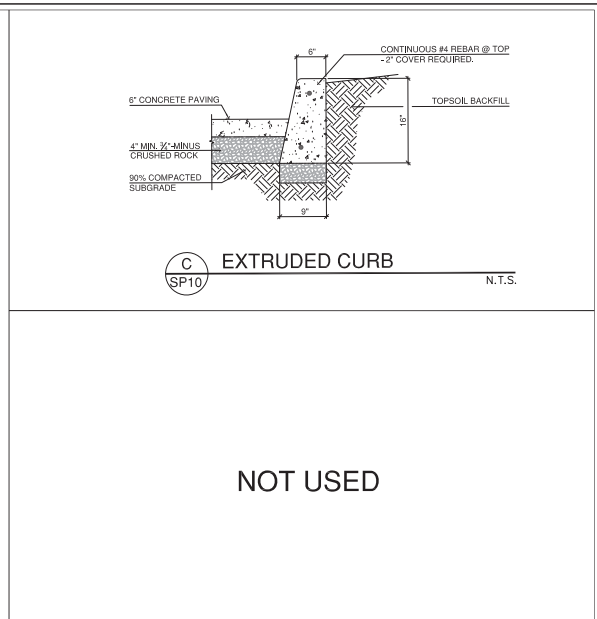
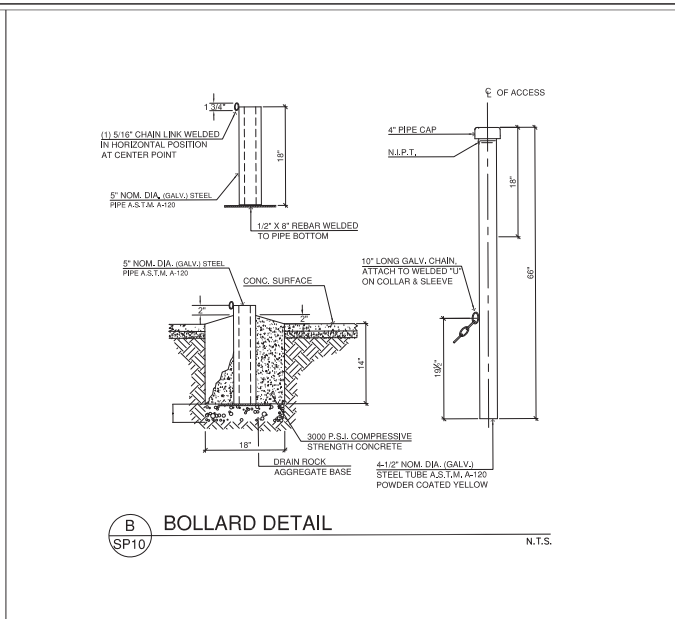
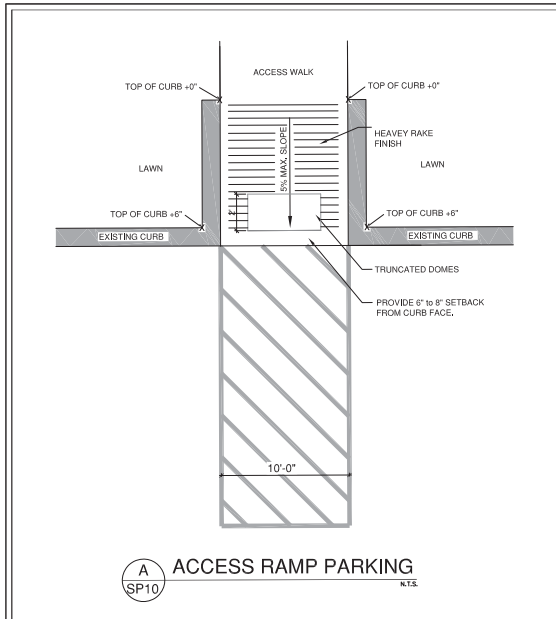
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ISSUE DATE: 04/15/2011

JOB NO.: 1002

SHEET:
SP9

OF 10 PERMIT SET



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NOT USED

NOT USED

NOT USED

NOT USED

NOT USED

MEARS DESIGN GROUP
LANDSCAPE ARCHITECTURE & PLANNING
PO Box 23338 Portland, Oregon 97281
Phone: 503.601.4510 T Fax: 503.924.4688

LANDSCAPE ARCHITECT
MEARS DESIGN GROUP
STATE OF CALIFORNIA

MONTEREY AVENUE SKATEPARK
MONTEREY PARK
POURED-IN-PLACE CONCRETE
CARTOLA, CALIFORNIA

REVISIONS

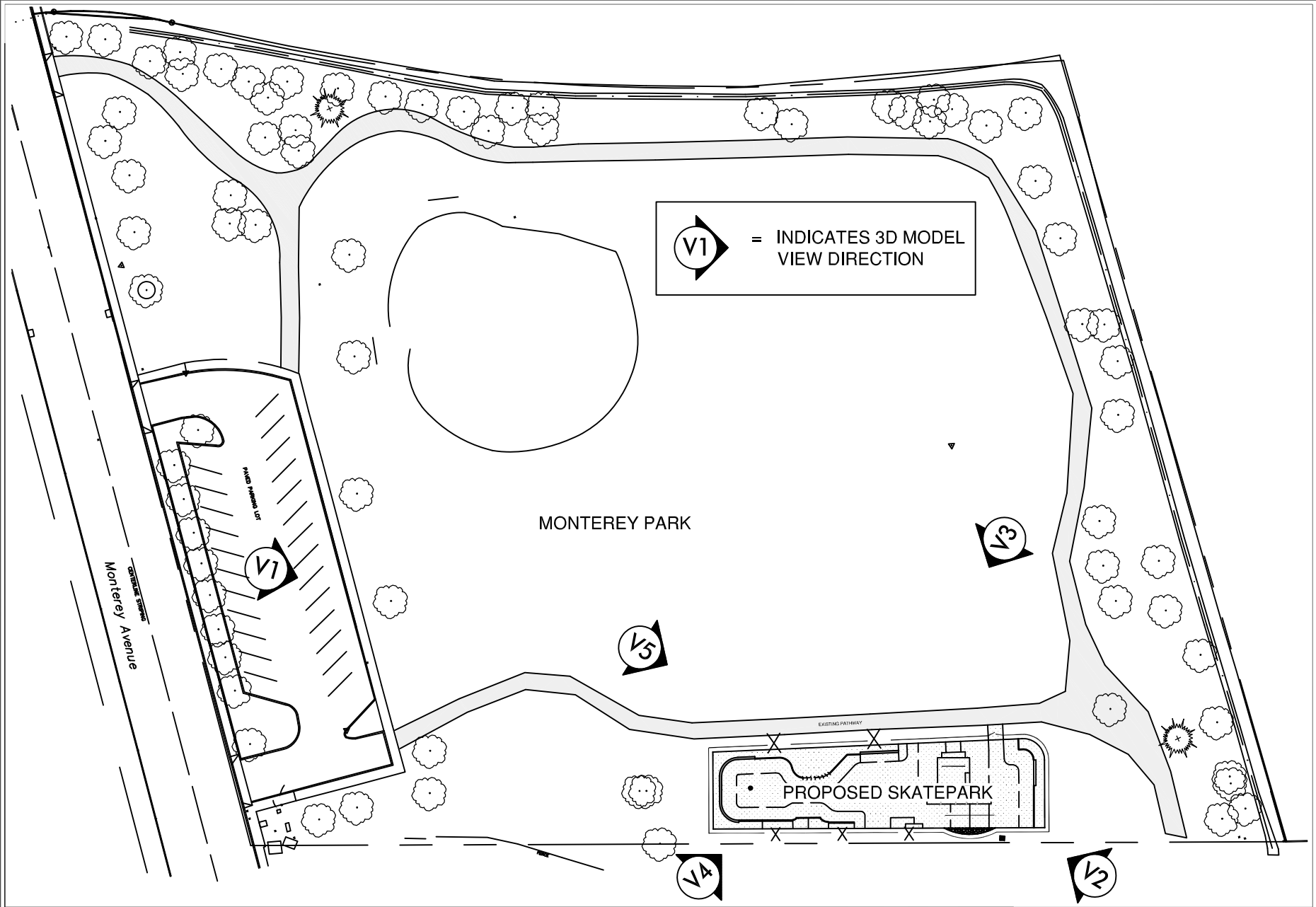
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SHEET NAME:
SKATEPARK
DETAILS & NOTES

DRAWN BY: T.M.
CHECKED BY: J.M.
ISSUE DATE: 01-18-2016
JOB NO.: 1502

SHEET:
SP10
OF 10 PERMIT SET







Attachment: Monterey Avenue Skate Park 3D Model (1416 : Monterey Avenue Skate Park)


| | |
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| A | SHEET: |
| | DRAWN: TAM |
| | CHECKED: TAM |
| | DATE: 6/2/2015 |
| JOB NO.: 1522 | |

MONTEREY AVENUE SKATEPARK
 COVER SHEET
 MONTEREY PARK
 CAPITOLA, CALIFORNIA

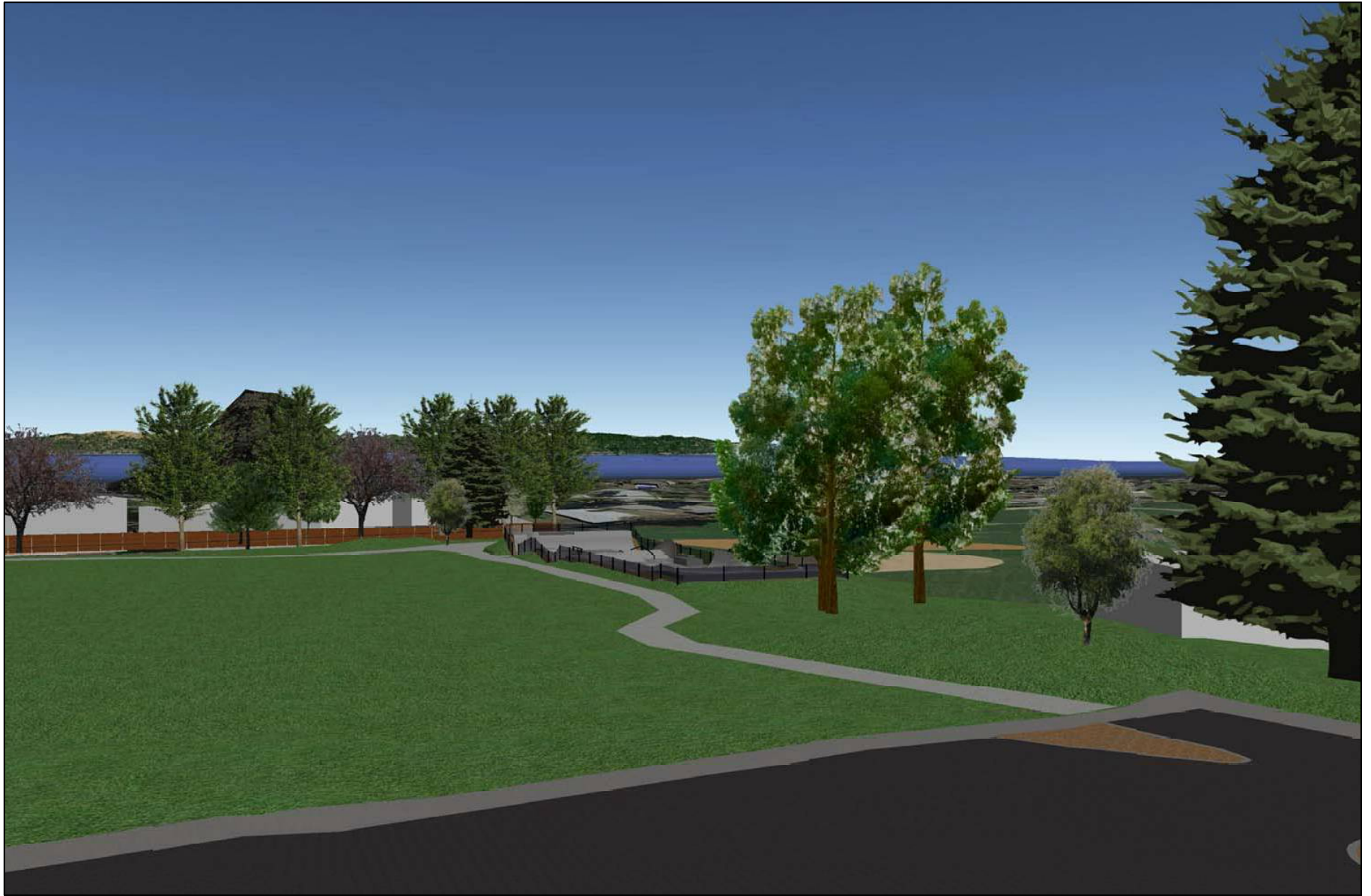


SCALE: 1" = 60'-0"





MEARS
 DESIGN GROUP
 LANDSCAPE ARCHITECTURE & PLANNING
 PO Box 23338 | PORTLAND, OREGON | 97281
 PHONE: 503.601.4516 | FAX: 503.924.4688



Attachment: Monterey Avenue Skate Park 3D Model (1416 : Monterey Avenue Skate Park)

SHEET:
B

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| DRAWN: | TAM |
| CHECKED: | TAM |
| DATE: | 6/2/2015 |
| JOB NO.: | 1522 |

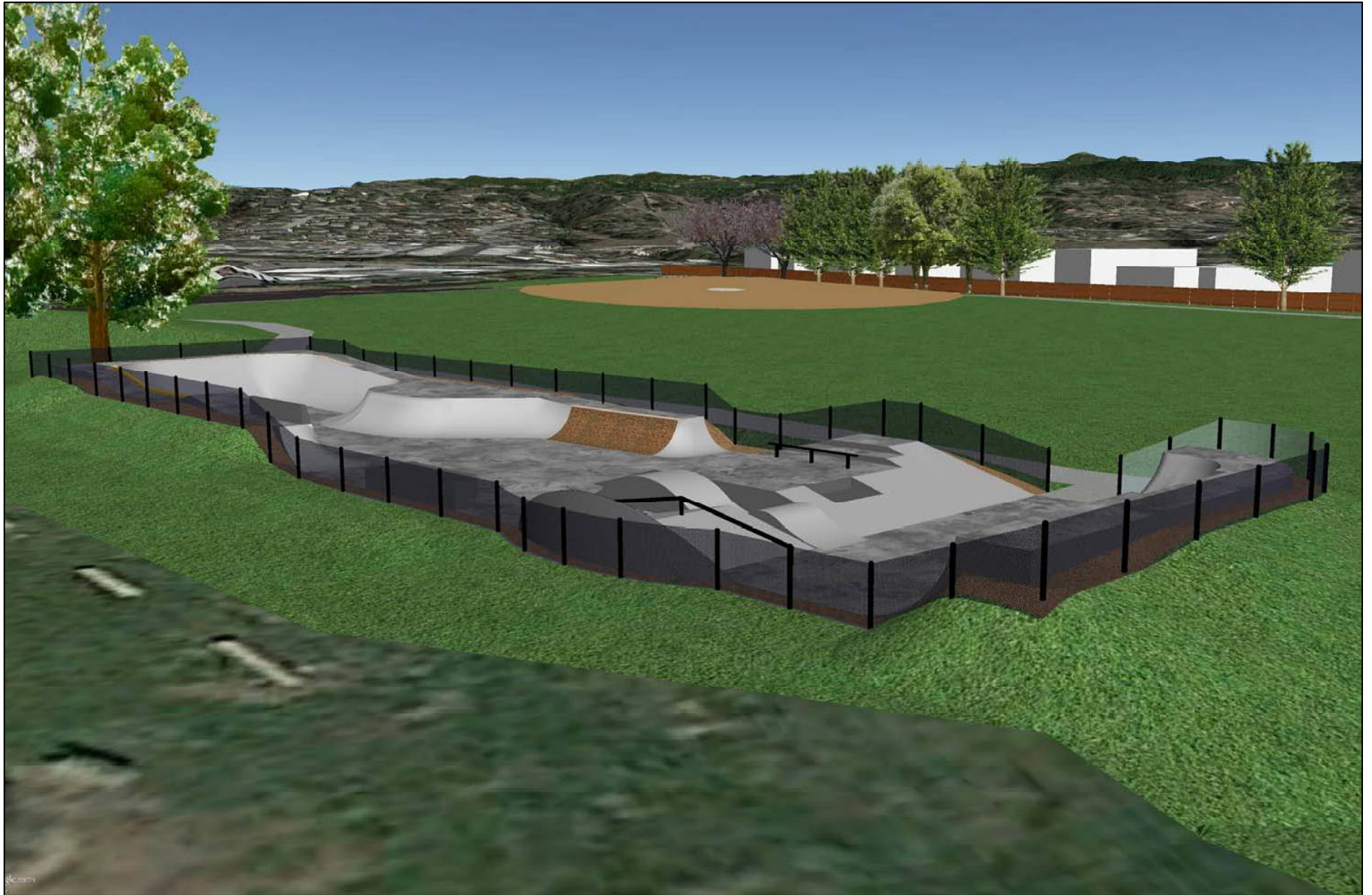
MONTEREY AVENUE SKATEPARK
3D MODEL VIEWS

MONTEREY PARK
CAPITOLA, CALIFORNIA

V1: 3D VIEW #1

- VIEW LOOKING SOUTH FROM PARKING LOT TOWARD PROPOSED SKATE PARK.

MEARS
DESIGN+GROUP
LANDSCAPE ARCHITECTURE & PLANNING
PO Box 23338 | PORTLAND, OREGON | 97281
PHONE: 503.601.4516 | FAX: 503.924.4688



Attachment: Monterey Avenue Skate Park 3D Model (1416 : Monterey Avenue Skate Park)

SHEET:
C

DRAWN: TAM
 CHECKED: TAM
 DATE: 6/2/2015
 JOB NO.: 1522

MONTEREY AVENUE SKATEPARK
 3D MODEL VIEWS
 MONTEREY PARK
 CAPITOLA, CALIFORNIA

V2: 3D VIEW #2

- VIEW LOOKING NORTH TOWARD PROPOSED SKATE PARK.

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 DESIGN+GROUP
 LANDSCAPE ARCHITECTURE & PLANNING
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 PHONE: 503.601.4516 | FAX: 503.924.4688



Attachment: Monterey Avenue Skate Park 3D Model (1416 : Monterey Avenue Skate Park)

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| D | DRAWN: TAM |
| | CHECKED: TAM |
| | DATE: 6/2/2015 |
| | JOB NO.: 1522 |

MONTEREY AVENUE SKATEPARK
 3D MODEL VIEWS

MONTEREY PARK
 CAPITOLA, CALIFORNIA

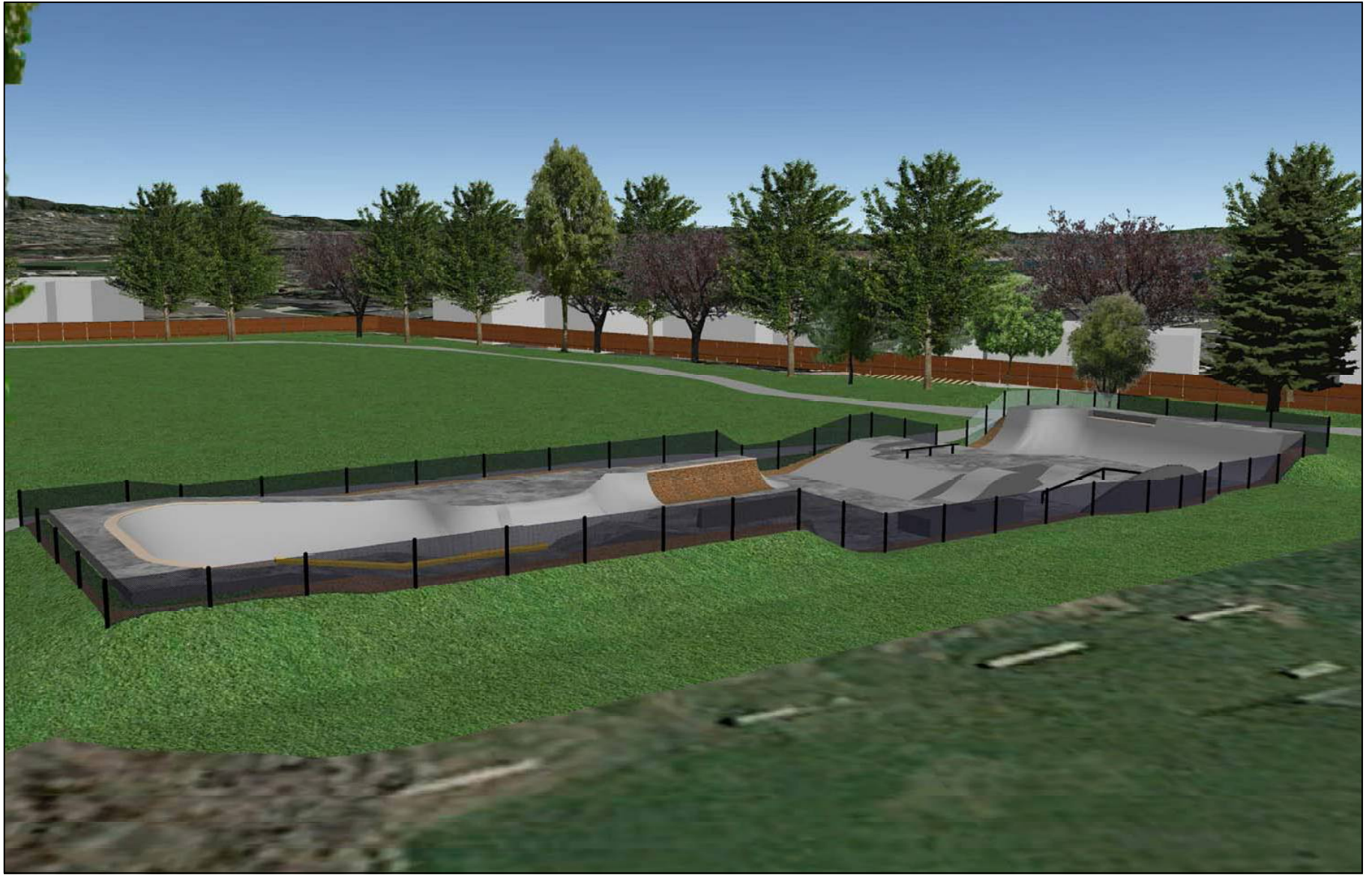
V3: 3D VIEW #3

- VIEW LOOKING WEST TOWARD PROPOSED SKATE PARK.

MEARS
 DESIGN+GROUP

LANDSCAPE ARCHITECTURE & PLANNING

PO Box 23338 | PORTLAND, OREGON | 97281
 PHONE: 503.601.4516 | FAX: 503.924.4688



Attachment: Monterey Avenue Skate Park 3D Model (1416 : Monterey Avenue Skate Park)

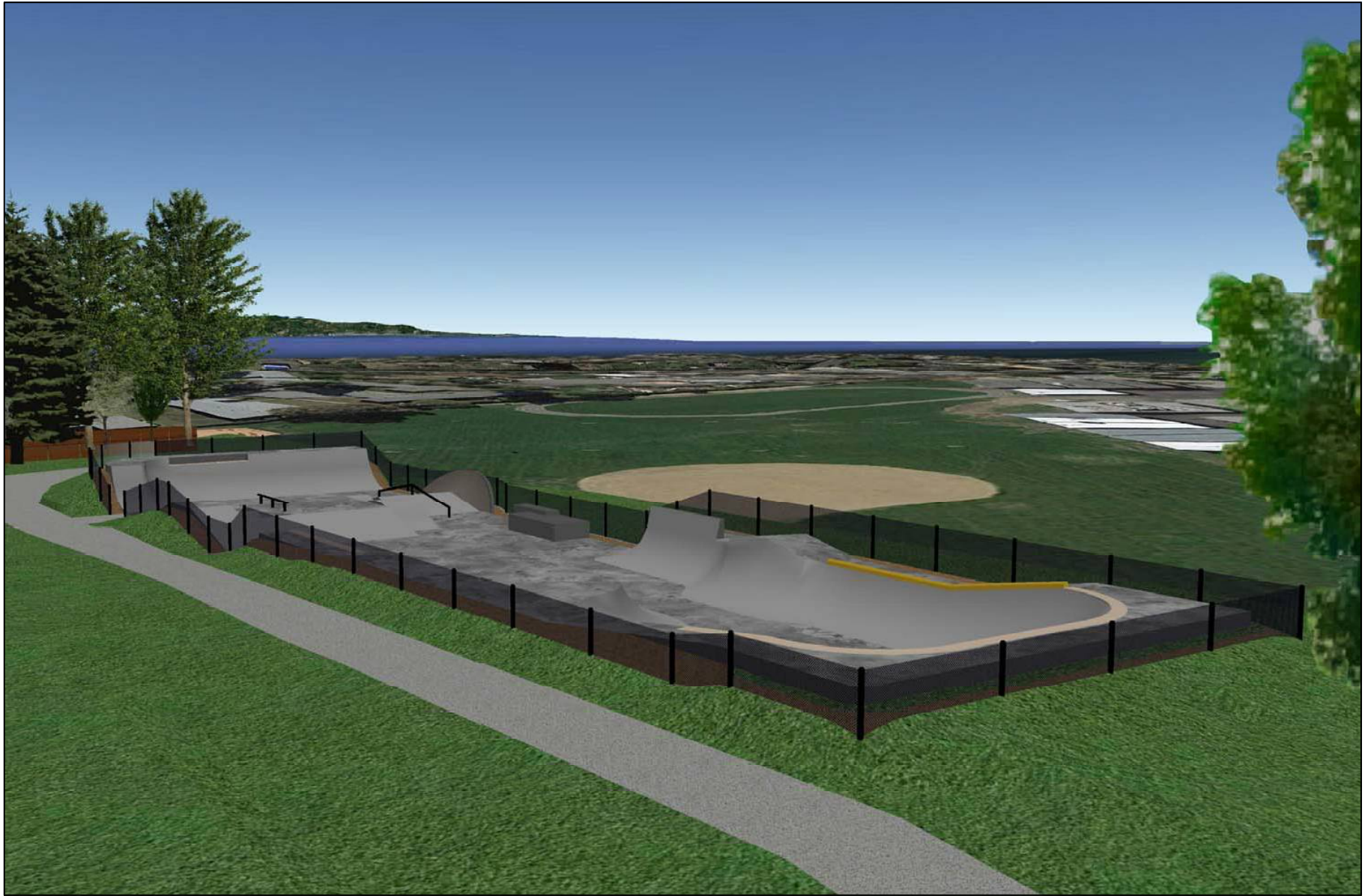
SHEET:
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DRAWN: TAM
 CHECKED: TAM
 DATE: 6/2/2015
 JOB NO.: 1522

MONTEREY AVENUE SKATEPARK
 3D MODEL VIEWS
 MONTEREY PARK
 CAPITOLA, CALIFORNIA

V4: 3D VIEW #4
 • VIEW LOOKING EAST TOWARD PROPOSED SKATE PARK.

MEARS
 DESIGN+GROUP
 LANDSCAPE ARCHITECTURE & PLANNING
 PO Box 23338 | PORTLAND, OREGON | 97281
 PHONE: 503.601.4516 | FAX: 503.924.4688



Attachment: Monterey Avenue Skate Park 3D Model (1416 : Monterey Avenue Skate Park)

SHEET:

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| CHECKED: | TAM |
| DATE: | 6/2/2015 |
| JOB NO.: | 1522 |

MONTEREY AVENUE SKATEPARK
3D MODEL VIEWS

MONTEREY PARK
CAPITOLA, CALIFORNIA

V5: 3D VIEW #5

- VIEW LOOKING SOUTH TOWARD PROPOSED SKATE PARK.

MEARS
DESIGN+GROUP
LANDSCAPE ARCHITECTURE & PLANNING
PO Box 23338 | PORTLAND, OREGON | 97281
PHONE: 503.601.4516 | FAX: 503.924.4688

RESOLUTION NO. _____

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CAPITOLA CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE MONTEREY AVENUE SKATE PARK, ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM AND ASSOCIATED ENVIRONMENTAL IMPACT FINDINGS, AND APPROVING THE PROJECT

WHEREAS, a Notice of Preparation (NOP) of an Environmental Impact Report (EIR) for the Monterey Avenue Skate Park (“Project”) was issued by the City of Capitola Community Development Department on June 22, 2015; and

WHEREAS, a Public Scoping Meeting was held on June 30, 2015, to receive comments regarding the scope of issues to be addressed in the EIR; and

WHEREAS, a Draft EIR was prepared and issued for agency and public review and comment on November 18, 2015, for a 52-day review period that ended on January 8, 2016; and

WHEREAS, 53 comment letters were received on the Draft EIR from private individuals and public entities; and

WHEREAS, a Final EIR incorporating all comments received on the Draft EIR and responses to comments was issued on March 17, 2016; and

WHEREAS, the completed Final EIR consists of the November 18, 2015, Draft EIR, comments received on the document, and responses to comments contained in the March 17, 2016 Final EIR, modifications made to the text of the Draft EIR that are also included in the Final EIR, appendices to the Draft and Final EIRs, items included in attachments to this Resolution, and all documents and resources referenced and incorporated by reference in the EIR; and

WHEREAS, the Final EIR has been completed in accordance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq., the Guidelines for implementation of the California Environmental Quality Act (14 Cal. Code Regs. Section 15000 et seq.) (the “State CEQA Guidelines”) and local procedures adopted pursuant thereto; and

WHEREAS, the Planning Commission held a public hearing on the Project and Final EIR on March 31, 2016; and

WHEREAS, on March 31, 2016, the Planning Commission in Resolution No. _____ certified the Final EIR for the Project; and

WHEREAS, the Final EIR identified certain significant and potentially significant adverse environmental impacts that would be caused by implementation of the Project; and

WHEREAS, the Final EIR outlined various mitigation measures that would substantially lessen or avoid the Project’s significant effects on the environment, as well as alternatives to the Project as proposed which would provide some environmental advantages; and

WHEREAS, the City of Capitola is required, pursuant to CEQA, to adopt all feasible mitigation measures or feasible project alternatives that can substantially lessen or avoid any significant environmental effects of a proposed project while simultaneously fulfilling project objectives; and

WHEREAS, Public Resource Code section 21081, subdivision (a), requires a public agency, before approving a project for which an EIR has been prepared and certified, to adopt findings specifying whether mitigation measures and, in some instances, alternatives discussed in the EIR, have been adopted or rejected as infeasible; and

RESOLUTION NO. _____

WHEREAS, some of the significant environmental effects of the Project can be fully avoided (i.e., rendered less than significant by the adoption of feasible mitigation measures); and

WHEREAS, the Planning Commission in approving the Project intends to adopt all mitigation measures set forth in the Final EIR and restated in Exhibit A - Mitigation Monitoring and Reporting Program; and

WHEREAS, the Planning Commission has determined that Alternative 1 identified in the Final EIR as the environmentally superior alternative would substantially reduce environmental effects and also fulfill the Project objectives; and

WHEREAS, the Planning Commission recognizes the City's obligation, pursuant to Public Resources Code section 21081.6, subdivision (a), to ensure the monitoring of all adopted mitigation measures necessary to substantially lessen or avoid the significant effects of the project; and

WHEREAS, Exhibit A to this Resolution contains the Mitigation Monitoring and Reporting Program prepared in order to comply with § 21081.6, subdivision (a); and

WHEREAS, the documents and other materials that constitute the record of proceedings on which the Planning Commission's findings are based are located at Capitola City Hall, 420 Capitola Avenue, Capitola CA, 92010, and the custodian for these documents is the City of Capitola City Clerk, in compliance with Public Resources Code section 21081.6, subdivision (a)(2) and CEQA Guidelines section 15091, subdivision (e).

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Capitola that:

- The Planning Commission certifies that the Final EIR has been completed in compliance with CEQA, the State CEQA Guidelines and local procedures adopted pursuant thereto.
- The Planning Commission hereby finds and declares the Final EIR reflects the independent judgment and analysis of the Planning Commission, as required by Public Resources Code Section 21082.1.
- The Planning Commission has independently reviewed and analyzed the Final EIR and considered the information contained therein and all comments, written and oral, received prior to approving this Resolution.
- The Planning Commission therefore hereby certifies the Final Environmental Impact Report for the Monterey Avenue Skate Park.
- The Planning Commission finds that all of the identified significant and potentially significant environmental effects associated with the Project as modified by Alternative 1 in the Final EIR can be either substantially reduced or avoided through the inclusion of mitigation measures proposed in the Final EIR.
- In approving this Resolution, the Planning Commission adopts Exhibit A attached hereto in order to satisfy its obligations under Public Resources Code section 21081.6 subdivision (a).
- The Planning Commission hereby approves the Project as modified by Alternative 1 in the Final EIR and directs City staff to file with the County Clerk and the Office of Planning and Research in Sacramento a Notice of Determination commencing a 30-day statute of limitations for any legal challenge to the Projects based on alleged non-compliance with CEQA.

RESOLUTION NO. _____

I HEREBY CERTIFY that the above and foregoing Resolution was passed and adopted by the Planning Commission of the City of Capitola at a special meeting held on the 31st day of March, 2016, by the following vote:

AYES:
NOES:
ABSENT/ABSTAIN:

Troy (TJ) Welch, Chairman

ATTEST: _____, CMC
Susan Sneddon, City Clerk

DRAFT

Attachment: Resolution to Certify the EIR and Adopt the MMRP (1416 : Monterey Avenue Skate Park)

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

Application No: 15-068
Address: 700 Monterey Avenue, Capitola, CA
Applicant: Tricia Proctor and Marie Martorella

This Mitigation Monitoring and Reporting Program (MMRP) for Application No. 15-068 located at Monterey Park at 700 Monterey Avenue, Capitola, CA, has been prepared pursuant to the California Environmental Quality Act (CEQA – Public Resources Code, Section 21000 *et seq.*) and the State CEQA Guidelines (Cal. Code Regs., Title 14, Chapter 3, Sections 15074 and 15097). A master copy of this MMRP shall be kept in the office of the Community Development Department and shall be available for viewing upon request.

Project Description: The project consists of a Conditional Use Permit, Coastal Development Permit, Design Permit, and a right-of-entry agreement for construction and use of an approximate 6,000 square foot skate park within the city-owned Monterey Park. The proposed skateboard facility consists of a concrete bowl-shaped center with ramps and jump features. The facility will be enclosed by a wrought iron fence. The park would be open to the public during daylight hours only as no lighting is proposed.

Mitigation Monitoring and Reporting Program: This MMRP includes mitigation measures in the Mitigation Monitoring and Reporting Matrix on the following pages that correspond to the Final EIR for the project. The matrix lists each mitigation measure or series of mitigation measures by environmental topic. For each mitigation measure, the frequency of monitoring and the responsible monitoring entity is identified. Mitigation measures may be shown in submittals and may be checked only once, or they may require monitoring periodically during and/or after construction. Once a mitigation measure is complete, the responsible monitoring entity shall date and initial the corresponding cell, and indicate how effective the mitigation measure was.

If any mitigation measures are not being implemented, the City may pursue corrective action. Penalties that may be applied include, but are not limited to, the following: (1) a written notification and request for compliance; (2) withholding of permits; (3) administrative fines; (4) a stop-work order; (5) forfeiture of security bonds or other guarantees; (6) revocation of permits or other entitlements.

| Mitigation Measure | Implementation Actions | Monitoring / Reporting Responsibility | Timing Requirements | Reporting Requirements & Verification of Compliance |
|--|---|---|--|---|
| <p>Noise</p> <p>NOISE-1: Require construction of six-foot noise barriers at the north and south boundaries of the skate park, along the proposed fence line, to reduce maximum instantaneous and hourly average noise levels by a minimum of 5 dBA at the Soquel Union Elementary School District Offices and single-family residences at the west end of Orchid Avenue. Noise barriers shall be constructed from materials having a minimum surface weight of 3 lbs/sf, such as one-inch thick wood fence boards, masonry block, or concrete, and be constructed in a manner free of any cracks or gaps between barrier materials and between the barrier and the ground. Alternately, suitable barrier materials such as Acoustiblok or ¼-in. Plexiglass could be attached to the proposed metal fence surrounding the skate park to provide an equivalent noise level reduction.</p> <p>NOISE-2: Prior to issuance of building permits, require a detailed inspection by a qualified acoustician of wood fences on the rear property line of residences along Orchid Avenue that are within 165 feet of the skate park to ensure the fences are adequate to attenuate noise as predicted, and if not, implement repairs and /or replacement, as necessary and with permission of the property owner, to ensure an acoustically effective six-foot noise barrier for existing fences.</p> | <ul style="list-style-type: none"> Include measure as Condition of Approval. Implementation actions are outlined in the mitigation measure. | <ul style="list-style-type: none"> The applicant is responsible for including measure on building plans. The Community Development Department is responsible for plans to ensure the measure has been included on the final building plans. | <ul style="list-style-type: none"> Prior to issuance of building permit for including measure on plans to be installed during construction. | |
| | <ul style="list-style-type: none"> Include measure as Condition of Approval. Implementation actions are outlined in the mitigation measure. | <ul style="list-style-type: none"> The applicant is responsible for obtaining property owner permission, performing inspections, and providing report on inspections and repairs to the Community Development. | <p>Prior to opening of skate park.</p> | |

| Mitigation Measure | Implementation Actions | Monitoring / Reporting Responsibility | Timing Requirements | Reporting Requirements & Verification of Compliance |
|--|--|--|--|---|
| Hazardous Materials | | | | |
| <p>HAZMAT-1: Prepare and implement a <u>Soil Management Report</u> for <u>Require soil</u> removal with proper disposal and/or encapsulation of contaminated soils at the project site to prevent exposure to arsenic found in the soils, and require proof of final signoff from the County of Santa Cruz Environmental Health Services.</p> | <ul style="list-style-type: none"> Prepare a Soil Management Plan for removal and disposal of contaminated soils. Submit to County of Santa Cruz for approval. Submit proof of final signoff to City of Capitola. | <ul style="list-style-type: none"> The City of Capitola or the applicant, in coordination with the City of Capitola, is responsible for having the soil management plans prepared. The City of Capitola is responsible for overseeing remediation program. | <p>Remediation to be completed prior to issuance of building permit.</p> | |
| <p>HAZMAT-2: Prepare and implement a Safety Plan to ensure that appropriate worker health and safety measures are in place during grading and construction activities.</p> | <ul style="list-style-type: none"> Implementation actions are specified in the mitigation measure. | <ul style="list-style-type: none"> The City of Capitola or the applicant, in coordination with the City of Capitola, is responsible for preparing Plan. The City of Capitola is responsible for overseeing remediation program. | <p>Prior to issuance of grading permit.</p> | |
| Biological Resources | | | | |
| <p>IS BIO-1: If construction or tree removal is scheduled to begin between February 1 and August 15, require that a pre-construction nesting survey be conducted by a qualified wildlife biologist to determine if migratory birds are nesting in the trees adjacent to the project site. If nesting birds are found, schedule construction to begin after fledging of young is completed (usually by August) or after a qualified biologist has determined that the nest is no longer in use or unless a suitable construction zone buffer can be identified by a qualified biologist.</p> | <ul style="list-style-type: none"> Include measure as Condition of Approval. Implementation actions are outlined in the mitigation measure. | <ul style="list-style-type: none"> The applicant, in coordination with the City of Capitola, is responsible for having a pre-construction survey conducted by a qualified biologist if construction proceeds during the nesting season, and submitting the report to the Planning & Community Development Department. The Community Development Department is responsible for review of the report to ensure compliance with the mitigation measure. | <ul style="list-style-type: none"> Prior to tree removal, grading and/or construction during the times specified in the mitigation measure. | |

**PROJECT APPLICATION #15-068
700 Monterey Avenue, CAPITOLA
Monterey Avenue Skate Park**

COASTAL FINDINGS

D. Findings Required. A coastal permit shall be granted only upon adoption of specific written factual findings supporting the conclusion that the proposed development conforms to the certified Local Coastal Program, including, but not limited to:

- The proposed development conforms to the City's certified Local Coastal Plan (LCP). The specific, factual findings, as per CMC Section 17.46.090 (D) are as follows:

(D) (2) Require Project-Specific Findings. In determining any requirement for public access, including the type of access and character of use, the city shall evaluate and document in written findings the factors identified in subsections (D) (2) (a) through (e), to the extent applicable. The findings shall explain the basis for the conclusions and decisions of the city and shall be supported by substantial evidence in the record. If an access dedication is required as a condition of approval, the findings shall explain how the adverse effects which have been identified will be alleviated or mitigated by the dedication. As used in this section, "cumulative effect" means the effect of the individual project in combination with the effects of past projects, other current projects, and probable future projects, including development allowed under applicable planning and zoning.

(D) (2) (a) Project Effects on Demand for Access and Recreation. Identification of existing and open public access and coastal recreation areas and facilities in the regional and local vicinity of the development. Analysis of the project's effects upon existing public access and recreation opportunities. Analysis of the project's cumulative effects upon the use and capacity of the identified access and recreation opportunities, including public tidelands and beach resources, and upon the capacity of major coastal roads from subdivision, intensification or cumulative build-out. Projection for the anticipated demand and need for increased coastal access and recreation opportunities for the public. Analysis of the contribution of the project's cumulative effects to any such projected increase. Description of the physical characteristics of the site and its proximity to the sea, tideland viewing points, upland recreation areas, and trail linkages to tidelands or recreation areas. Analysis of the importance and potential of the site, because of its location or other characteristics, for creating, preserving or enhancing public access to tidelands or public recreation opportunities;

- The proposed project is located in Monterey Park at 700 Monterey Avenue. Monterey Park is not located in an area with coastal access. The proposed skate park would not have an effect on public trails or beach access.

(D) (2) (b) Shoreline Processes. Description of the existing shoreline conditions, including beach profile, accessibility and usability of the beach, history of erosion or accretion, character and sources of sand, wave and sand movement, presence of shoreline protective structures, location of the line of mean high tide during the season when the beach is at its narrowest (generally during the late winter) and the proximity of that line to existing structures, and any other factors which substantially characterize or affect the shoreline processes at the site. Identification of anticipated changes to

shoreline processes at the site. Identification of anticipated changes to shoreline processes and beach profile unrelated to the proposed development. Description and analysis of any reasonably likely changes, attributable to the primary and cumulative effects of the project, to: wave and sand movement affecting beaches in the vicinity of the project; the profile of the beach; the character, extent, accessibility and usability of the beach; and any other factors which characterize or affect beaches in the vicinity. Analysis of the effect of any identified changes of the project, alone or in combination with other anticipated changes, will have upon the ability of the public to use public tidelands and shoreline recreation areas;

- The proposed project is located in Monterey Park at 700 Monterey Avenue. No portion of the project is located along the shoreline or beach.

(D) (2) (c) Historic Public Use. Evidence of use of the site by members of the general public for a continuous five-year period (such use may be seasonal). Evidence of the type and character of use made by the public (vertical, lateral, blufftop, etc., and for passive and/or active recreational use, etc.). Identification of any agency (or person) who has maintained and/or improved the area subject to historic public use and the nature of the maintenance performed and improvements made. Identification of the record owner of the area historically used by the public and any attempts by the owner to prohibit public use of the area, including the success or failure of those attempts. Description of the potential for adverse impact on public use of the area from the proposed development (including but not limited to, creation of physical or psychological impediments to public use);

- The project site is a City-owned active park which is open to the public. The City of Capitola is responsible for park maintenance. There is no history of the City to prohibit or restrict public access to the park.

(D) (2) (d) Physical Obstructions. Description of any physical aspects of the development which block or impede the ability of the public to get to or along the tidelands, public recreation areas, or other public coastal resources or to see the shoreline;

- The proposed project is located in Monterey Park at 700 Monterey Avenue. The project will not block or impede the ability of the public to get to or along the tidelands, public recreation areas, or views to the shoreline.

(D) (2) (e) Other Adverse Impacts on Access and Recreation. Description of the development's physical proximity and relationship to the shoreline and any public recreation area. Analysis of the extent of which buildings, walls, signs, streets or other aspects of the development, individually or cumulatively, are likely to diminish the public's use of tidelands or lands committed to public recreation. Description of any alteration of the aesthetic, visual or recreational value of public use areas, and of any diminution of the quality or amount of recreational use of public lands which may be attributable to the individual or cumulative effects of the development.

- The proposed project is located on public property which is approximately 1,400 feet north of the coast. There are no direct access paths (aside from public streets) between Monterey Park and the coast. The proposed skate park would not diminish public access to the coast or adversely alter the aesthetic, visual or recreational value of public use areas.

(D) (3) (a – c) Required Findings for Public Access Exceptions. Any determination that one of the exceptions of subsection (F) (2) applies to a development shall be supported by written findings of fact, analysis and conclusions which address all of the following:

a. The type of access potentially applicable to the site involved (vertical, lateral, bluff top, etc.) and its location in relation to the fragile coastal resource to be protected, the agricultural use, the public safety concern, or the military facility which is the basis for the exception, as applicable;

b. Unavailability of any mitigating measures to manage the type, character, intensity, hours, season or location of such use so that agricultural resources, fragile coastal resources, public safety, or military security, as applicable, are protected;

c. Ability of the public, through another reasonable means, to reach the same area of public tidelands as would be made accessible by an access way on the subject land.

- The project is not requesting a Public Access Exception, therefore these findings do not apply

(D) (4) (a – f) Findings for Management Plan Conditions. Written findings in support of a condition requiring a management plan for regulating the time and manner or character of public access use must address the following factors, as applicable:

a. Identification and protection of specific habitat values including the reasons supporting the conclusions that such values must be protected by limiting the hours, seasons, or character of public use;

- The project is located in an existing public park. There are no sensitive habitat areas on the property.

b. Topographic constraints of the development site;

- Monterey park is a generally flat lot with no steep slopes.

c. Recreational needs of the public;

- The project would increase the public's access to recreational opportunities by adding a new skate park to an existing public park.

d. Rights of privacy of the landowner which could not be mitigated by setting the project back from the access way or otherwise conditioning the development;

e. The requirements of the possible accepting agency, if an offer of dedication is the mechanism for securing public access;

f. Feasibility of adequate setbacks, fencing, landscaping, and other methods as part of a management plan to regulate public use.

(D) (5) Project complies with public access requirements, including submittal of

appropriate legal documents to ensure the right of public access whenever, and as, required by the certified land use plan and Section 17.46.010 (coastal access requirements);

- No legal documents to ensure public access rights are required for the proposed project

(D) (6) Project complies with visitor-serving and recreational use policies;

SEC. 30222

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

- The project involves a recreational use on City-owned property used as an active public park.

SEC. 30223

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

- The project involves a recreational use in a developed City-owned park. The project would not adversely affect any coastal recreational uses.

c) Visitor-serving facilities that cannot be feasibly located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

- The project involves a recreational use in a developed City-owned park which would be available to visitors.

(D) (7) Project complies with applicable standards and requirements for provision of public and private parking, pedestrian access, alternate means of transportation and/or traffic improvements;

- The project would provide adequate on-site parking and would not result in any significant direct traffic impacts. The project is conditioned to make a fair share contribution to a future traffic signal at Kennedy Drive/Park Avenue as required by the General Plan Update EIR.

(D) (8) Review of project design, site plan, signing, lighting, landscaping, etc., by the city's architectural and site review committee, and compliance with adopted design guidelines and standards, and review committee recommendations;

- The project complies with standards established by the Municipal Code.

(D) (9) Project complies with LCP policies regarding protection of public landmarks, protection or provision of public views; and shall not block or detract from public views to and along Capitola's shoreline;

- The coastline is not visible from the project site.

(D) (10) Demonstrated availability and adequacy of water and sewer services;

- The project is located in a developed City-owned park which has water services and has access to wastewater infrastructure to service a future restroom.

(D) (11) Provisions of minimum water flow rates and fire response times;

- The project is located within close proximity of the Central Fire District. Water is available at the location.

(D) (12) Project complies with water and energy conservation standards;

- The project would require minimal water and energy.

(D) (13) Provision of park dedication, school impact, and other fees as may be required;

- The project would not impact the provision of park and recreation services and it does not involve new housing which would generate an increased demand for school facilities.

(D) (14) Project complies with coastal housing policies, and applicable ordinances including condominium conversion and mobile home ordinances;

- The project does not involve a condo conversion or mobile homes.

(D) (15) Project complies with natural resource, habitat, and archaeological protection policies;

- The project site is a developed City-owned park. No sensitive biological and archaeological resources exist on the project site.

(D) (16) Project complies with Monarch butterfly habitat protection policies;

- The project is outside of any identified sensitive habitats, specifically areas where Monarch Butterflies have been encountered, identified and documented.

(D) (17) Project provides drainage and erosion and control measures to protect marine, stream, and wetland water quality from urban runoff and erosion;

- The project meets federal, state, and local requirements for drainage, stormwater management, and erosion control.

(D) (18) Geologic/engineering reports have been prepared by qualified professional for projects in seismic areas, geologically unstable areas, or coastal bluffs, and project complies with hazard protection policies including provision of appropriate setbacks and mitigation measures;

- The project does not involve the development of new habitable structures and does not propose to locate facilities near a coastal bluff or other geologic hazard area.

(D) (19) All other geological, flood and fire hazards are accounted for and mitigated in the project design;

- The project is not located in a flood zone or a high fire risk area.

(D) (20) Project complies with shoreline structure policies;

- The proposed project is not located along a shoreline.

(D) (21) The uses proposed are consistent with the permitted or conditional uses of the zoning district in which the project is located;

- This use is an allowed use consistent with the Public Facility – Park (PF/P) zoning district.

(D) (22) Conformance to requirements of all other city ordinances, zoning requirements, and project review procedures;

- The project conforms to the requirements of all city ordinances, zoning requirements and project development review and development procedures.

(D) (23) Project complies with the Capitola parking permit program as follows:

- The project would not rely on the City's parking permit program.



Report Number: 09032015-3
Report Date: 11-05-15
Report Location: Monterey Avenue (proposed) Skate Park
 Capitola, CA
Reported To: Richard Grunow
 Community Development Director
 City of Capitola
Performed By: Wade MacAdam, CPD
 Advanced CPTED Consultant
 MacAdam Protection Strategies

PURPOSE:

This architectural plan review was initiated by the City of Capitola as part of the public review process for a proposed skate park within the Monterey Avenue Park of the City of Capitola. The purpose of this architectural plan review is to examine the proposal drawings for the skate park and provide MacAdam Protection Strategies (MPS) considerations, as well as other options to consider, to hopefully reduce the risk of criminal crimes/incidents and potentially enhance the safety at the Monterey Avenue Skate Park.

The considerations are based on three types of countermeasure approaches:

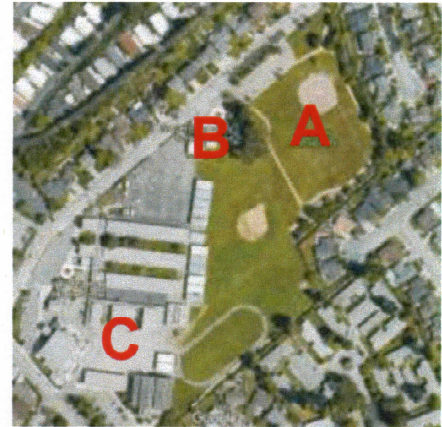
- **Natural Security:** consisting of CPTED (Crime Prevention Through Environmental Design) approaches relating to natural surveillance (allowing authorized users to see out and deterring suspects because they feel that they will be seen), natural access control (define private from public spaces), territorial reinforcement (showing that the property is not up for grabs), and maintenance (addressing overgrown vegetation, fence repairs, and graffiti removal).
- **Mechanical Security:** consisting of physical security systems (such as metal keys and hardware) and physical security technologies (such as access control systems, intrusion alarms, video systems, and emergency phones).
- **Organized Security:** consisting of a human presence and response (such as trusted allies nearby, authorized staff, and first responders).

Below is an overview of the options to consider that are identified within this report:

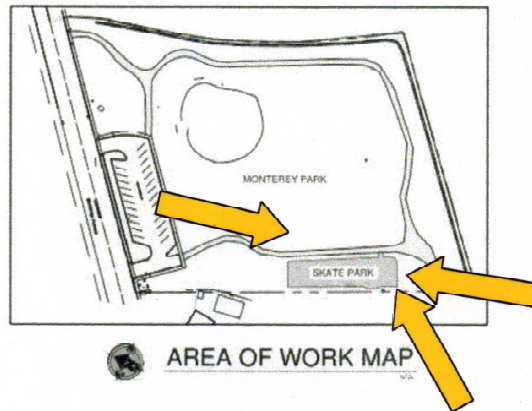
- Provide access to Law Enforcement
- Provide access to Fire Department(s)
- Redesign of the celebrated entrance (or main entrance into the skate park)
- Redesign of the orientation of the skate park (increasing the visibility to the sunken portions)
- Redesign of the skate park fencing (replacing chain-link with ornamental iron)
- Design a transparent sound wall or noise barrier (inside and outside the skate park)
- Design and creating signage (depending on procedures/rules approved by the City)
- Redesign the set-back of the park (from Monterey Avenue)
- Design activity generators (shade devices, water fountain, benches, cube seating)
- Design infrastructure for future lighting
- Design or installing an emergency phone
- Design infrastructure for future video cameras
- Design a trash receptacle
- Design vegetation
- Design traffic calming devices

NARRATIVE:

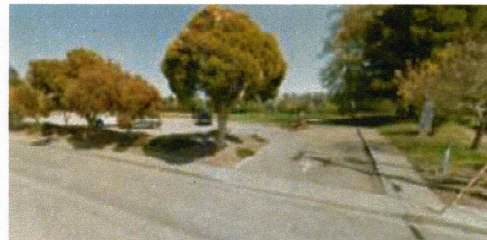
The Monterey Avenue Park (identified via a red "A") is located adjacent to the Soquel Elementary School District Office (identified via a red "B"), in Capitola, California. The Soquel Elementary School District Office has an address of 620 Monterey Avenue, Capitola. The park contains one parking lot, one softball field, and pathways. The park is adjacent to private residences and the New Brighton Middle School (identified via a red "C").



The proposed site for the Skate Park is shown below. Access to the Skate Park is anticipated to be from the Monterey Park Parking Lot, pedestrian pathways from the Middle School, or a pathway from the nearby residences (as shown via the yellow arrows).



From the west, Monterey Park is relatively flat and possesses good natural surveillance across the park. From Monterey Avenue, the proposed Skate Park site can be seen.

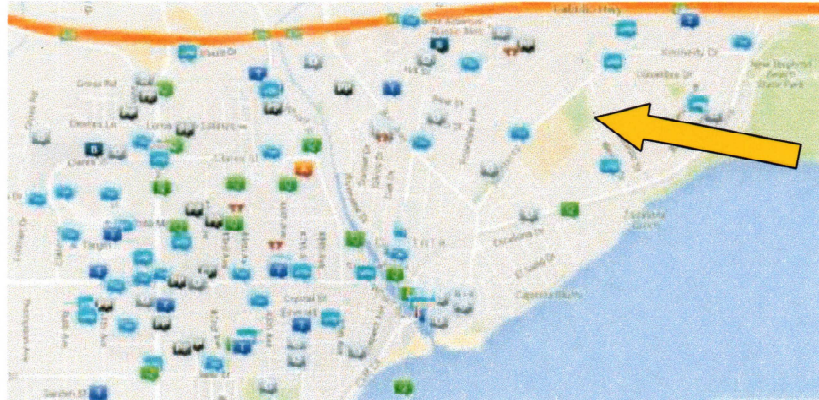


From the east, trees, a small hill, and school district buildings/fence largely obstruct views of the proposed skate park location from eastbound traffic on Monterey Ave.



Fire services fall under the jurisdiction of two entities: the Central Fire Protection District and the Aptos La Selva Fire District. I conversed with Central Fire Chief Jeff Maxwell and the office of Central Fire Marshal Sandy French. We discussed fire and medical response to the park.

Law Enforcement services fall under the jurisdiction of the Capitola Police Department. I conversed with Police Chief Rudy Escalante and Sergeant Mark Gonzalez. We discussed police response and crime trends. Via the Police Department website, I obtained the below reported crime analysis for the past six months around the park:



I did not see any crime trend concerns that pose an active threat or disruption to Monterey Park.

I talked to Rich Grunow. He asked me for a CPTED (Crime Prevention Through Environmental Design) analysis on the proposed skate park. He also emailed me drawings for the proposed skate park. I told him that I would provide him with options to consider for natural security, mechanical security, and organized security. The options are outlined in the Considerations portions on the following pages. Below is a list of the resulting considerations, based on priority:

- Provide access to Law Enforcement
- Provide access to Fire Department(s)
- Redesign of the celebrated entrance (or main entrance into the skate park)
- Redesign of the orientation of the skate park (increasing the visibility to the sunken portions)
- Redesign of the skate park fencing (replacing chain-link with ornamental iron)
- Design a transparent sound wall or noise barrier (inside and outside the skate park)
- Design and creating signage (depending on procedures/rules approved by the City)
- Redesign the set-back of the park (from Monterey Avenue)
- Design activity generators (shade devices, water fountain, benches, cube seating)
- Design infrastructure for future lighting
- Design or installing an emergency phone
- Design infrastructure for future video cameras
- Design a trash receptacle
- Design vegetation
- Design traffic calming devices

I viewed the documents that Rich Grunow shared with me: proposed Monterey Avenue Skate Park Plans, Proposed Monterey Avenue Skate Park 3D Model, and a Skate Park Noise Study.

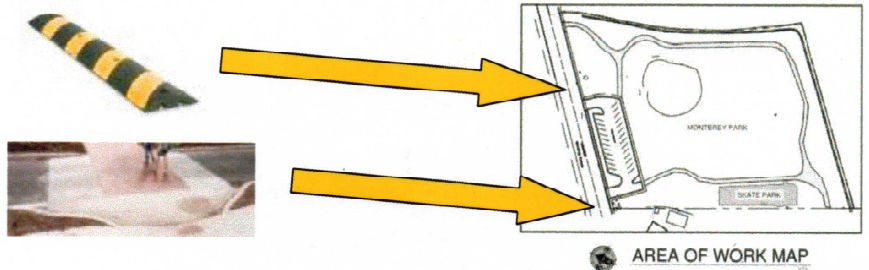
I also visited and viewed a community Facebook page for skate parks in the City of Capitola.

CONSIDERATIONS:

I utilized standard CPTED (Crime Prevention Through Environmental Design) strategies and identified the below possible concerns. I suggest that you consider the following for Natural Security:

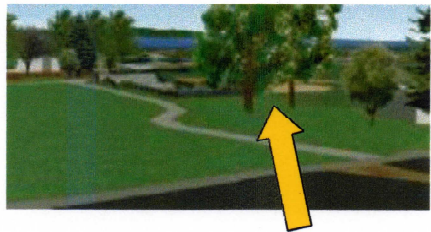
1. Traffic Calming:

- Due to an increase in pedestrian activity at the park, **install speed bumps or a speed table** on Monterey Avenue, near the two entrances into the parking lot. This can aid in pedestrian safety and promote reduced vehicle speeds.



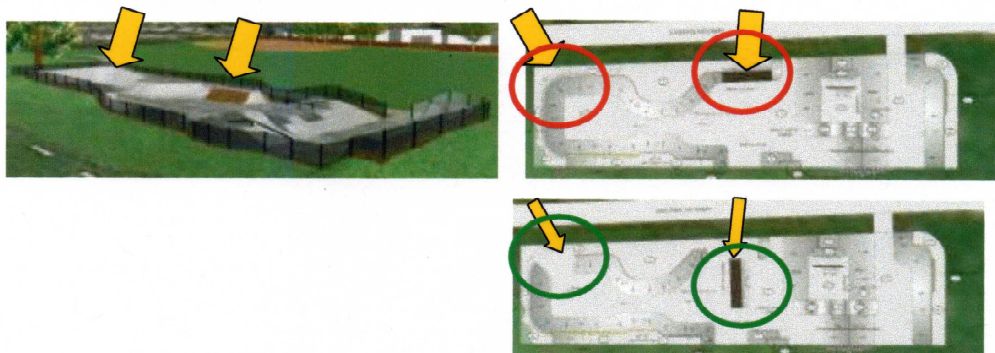
2. Setback:

- The proposed site is far from the parking lot and from Monterey Avenue. It lacks ideal natural surveillance from law enforcement and trusted allies. It also allows for suspects to see law enforcement at a distance and have time to conceal their activities. **Consider moving the site closer to the parking lot.**



3. Orientation:

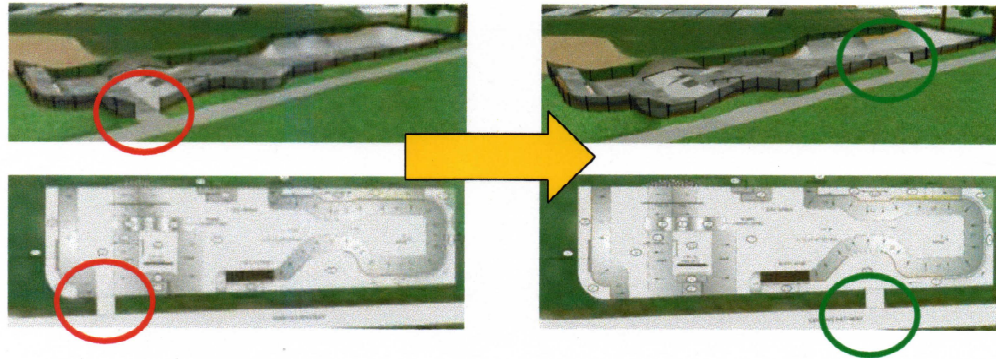
- The proposed design contains a sunken portion that can conceal unlawful activities, as well as a high wall. To maximize natural surveillance (as shown from a view point of the yellow arrows) to aid law enforcement and to deter suspects, consider **redesigning the bowl** with an opening that is at ground level and **change the orientation of the wall.**



Consultant Initials

4. Celebrated Entrance:

- Based on the proposed design, the celebrated entrance (or main entrance that is advertised for entry) should be a **double pedestrian gate** along the existing pathway, but it should be **closer to the parking lot**. This will allow first responders quicker access into the site.






5. Signage:

- Create a parking stall with associated signage** in the parking lot for first responders. Erect a sign that advertises the stall for emergency vehicles only. This will aid in first responder access to the site.











- Assign a city address to the Skate Park**, such as 700 Monterey Avenue. This will aid in cellular phone callers that are not aware of their surroundings while they are looking at park signage and talking to emergency dispatchers. This will also aid in court stay-away orders assigned to suspects, where an address "to stay away from" is needed. Monterey Avenue Skate Park could be renamed at any time due to donor influence or due to a celebratory figure, but the address will remain the same.
- Create skate park rules/regulations signage** for the exterior and interior of the skate park. The signage should utilize color and pictograms that appeal to the youth users of the space. It should be at both sides of the celebrated entrance. It should be positioned frequently, every 50-feet, inside the fence. The next page contains an example of language and pictograms. The final operational procedures/rules shall be dependant on City approval.

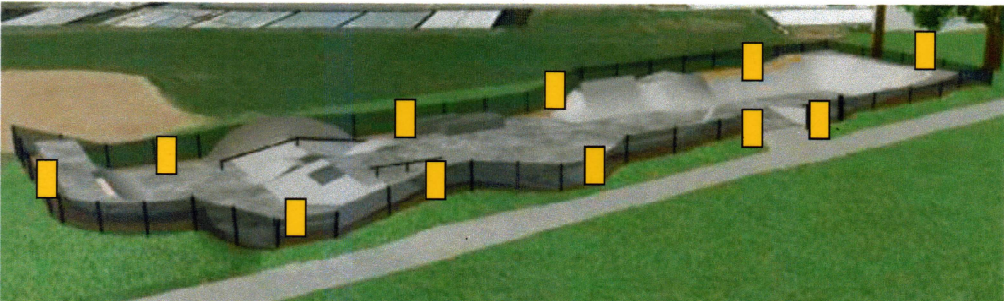




Monterey Avenue Skate Park

City of Capitola Property
790 Monterey Avenue, Capitola, California

**Private Property – No Trespassing per California Penal Code 602
Rules and Regulations Enforceable per Capitola Municipal Chapter 12.40**

| | | |
|---|-------------------|--|
|  | WARNING | Skate at your own risk |
|  | Park Hours | Closed Sunset to 6am |
|  | Yes | Skateboards and rollerblades <u>ONLY</u> |
|  | No | <u>NO</u> bikes, scooters, motorized vehicles |
|  | SAFETY | Helmets, gloves, and pads are strongly recommended. Skating has inherent danger of injury or death. The City is not responsible for these dangers. ** Make sure surface is dry before skating. ** |
|  | RULES | No Food or Drink (water is permitted) No Animals (except Service Animals and Police Canine) No Glass objects, Alcohol, Smoking, or Tobacco products No additional obstacles or materials allowed No loud music or offensive language No organized events without written approval from City |
|  | RESPECT | <i>"The fence is necessary for closing the park if things get out of hand." "The fence is needed to prevent after-hours skating." "The fence will allow us to close the park for cleaning and maintenance." "The fence will keep toddlers from accidentally stumbling into the space." "The fence is necessary to keep prohibited users, like BMX, out." "The fence will prevent skateboards from flying out of the area."</i> |
|  | EMERGENCY | For police-fire-medical assistance, call 9-1-1 or from a cellular phone: 831-471-1141 City of Capitola Police Department |



Consultant Initials

Attachment: Crime Prevention through Environmental Design (CPTED) Study (1416 : Monterey Avenue Skate Park)

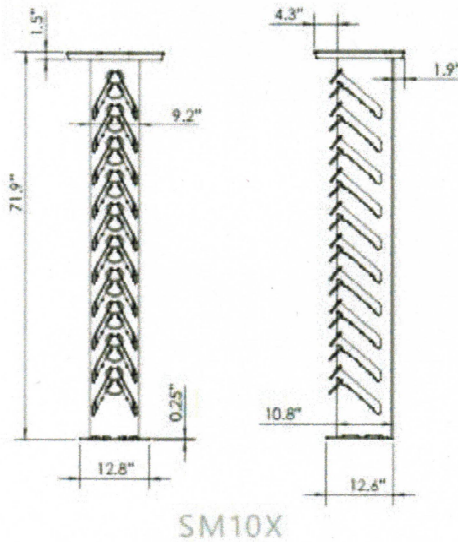
10. Bicycle Racks:

- **Install bicycle racks** outside of the celebrated entrance so that bicycles are ridden to the park and then left outside the fence. The ideal bike rack is the inverted-U design.



11. Skate Board Racks:

- To combat the theft of unattended skateboards, **install a skateboard locking device**, similar to the Park-A-Bike Surface Mounted Skatedeck. I further suggest that two 10-skateboard racks should be installed outside of the fenced celebrated entrance. A skateboarder would need to bring their own padlock.



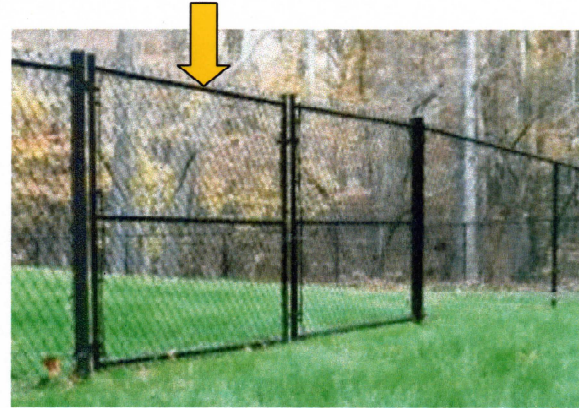
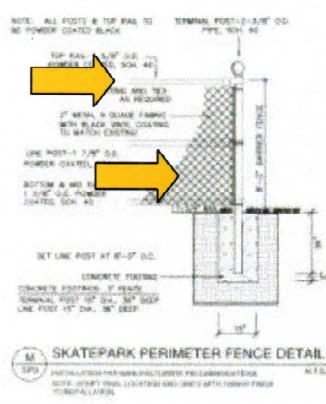
12. Trash Receptacles:

- **Provide a trash receptacle** that possesses natural surveillance, without a transcan insert. This can aid in detecting contraband or in locating personal property that was unattended, stolen, ransacked, and then discarded in the trash. Authorized users typically carry backpacks to the park and then place them on the ground while skating. Suspects can covertly take the backpacks away from the owner, rummage through them for valuables, and then discard the backpack in the trash. Below is an example of a semi-transparent/mesh receptacle which allows a view of its contents.



13. Fencing:

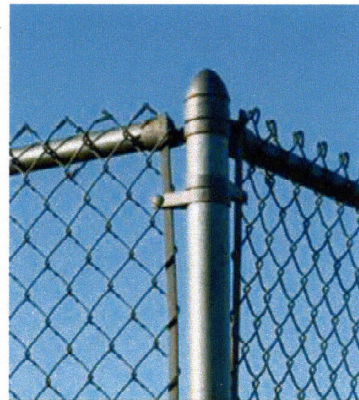
- Consider redesigning the proposed perimeter fencing. **Replace the chain-link with ornamental iron.** If a redesign is not approved, replace the top horizontal member with a cable; this can aid in deterring or delaying unauthorized climbing of the fence. Consider replacing the 2-inch mesh with a 1-inch mesh to further aid in unauthorized climbing.



An ornamental iron fence is shown below as an example. The top horizontal bar should not be flat, to accommodate unauthorized climbing. The top should have protrusions.



A chain-link fence with a top cable is shown below (preferred), versus a chain-link with horizontal tubular members (not recommended).



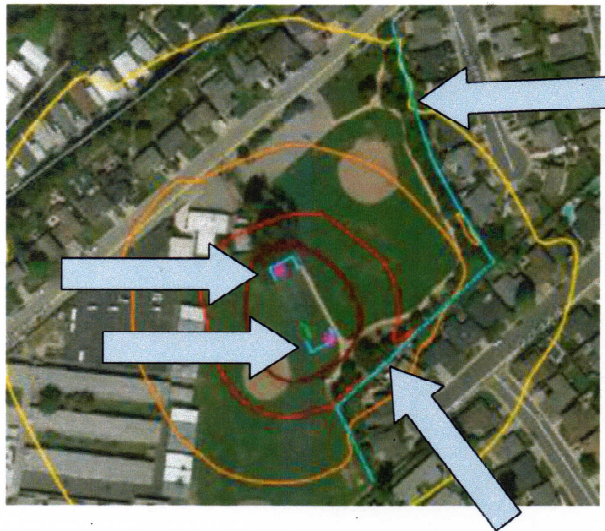
Consultant Initials *[Signature]*

14. Lighting:

- Eventhough no lighting is proposed for this design, I suggest pathways and conduit be installed for future lighting needs.
- Lighting shall comply with CPTED guidelines: pedestrian sale, white light source, full cut-off design.

15. Sound Wall:

- For the proposed 6-foot noise barriers identified via light-blue colored lines on the drawing below (and highlighted with light-blue arrows), investigate into a transparent material in order to maintain natural surveilance and to not create any areas of concealment. For continuous walls exceeding 25-feet, create a break in the wall for a path of egress or escape.



Transparency example



Fence Opening example

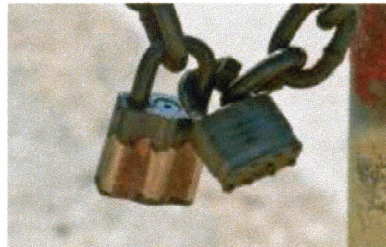


If a transparent noise wall is not selected due to necessary noise attenuation or design considerations, noise walls should be designed and located in such a manner that they do not obstruct visibility into the facility.

Based on my training and experience, I suggest you consider the following for Mechanical Security:

1. Access Control along the Skate Park fence:

- To provide access to the facility for police-fire-medical calls for service, as well as for City Maintenance related incidents. I suggest two chains and two padlocks (one City and one Fire, as further described below in the Organized Security section) be used as the means for access control.
- The chains should be permanently affixed to the fence gates so that they are not misplaced.



Consultant Initials [Signature]

2. E911 Concerns:

- Although the intended users of the skate park will most likely possess cellular phones, law enforcement dispatchers have a difficult time obtaining the precise location of a cellular 911 call. **Consider an emergency phone**, without a dial pad, but with an emergency button that directly dials to the Capitola Police Department. The landline for the emergency phone will have a programmed location that will be shared with first responders. Consider an emergency phone similar to a Ramtel 926 RR733, that is distinctive in color (in safety yellow), and that is clearly marked (with side vertical script: Emergency).



3. Video Systems:

- Talk to City of Capitola employee Larry Laurent regarding the logistics for a city-managed video system around or near the skate park. Video systems should comply with chain-of-custody and District Attorney requirements. Even if a video system is not funded or decided upon, consider running any infrastructure (such as cat-5 cabling) during the construction, versus after construction.
- Remember that video systems are a recall tool and can only be monitored live if staffing is available.
- Dummy cameras should be avoided since they advertise a false sense of security.



4. Video Signage:

- If video cameras are installed, **post signage** that advertises: "Video Systems In Use." This will aid in deterring criminal behavior.

Based on my training and experience, I suggest you consider the following for Organized Security:

1. Capitola Police Response:

- The fence shall be secured via **metal chain and daisy-locked padlocks**. Since the City of Capitola Public Works Department and the City of Capitola Police Department possess a common key (#007), I suggest a padlock for this keyway be obtained for the skate park. Contact Sergeant Gonzalez for coordination.

2. Fire/Medical Response:

- Connecting to the chain and City padlock described above, I further suggest that a Fire padlock be daisy-chained to the pedestrian opening of the fence. According to Fire Marshal French, both fire districts possess a key to a **fire padlock** for the area. Contact Fire Marshal French for coordination.

3. Community Recruitment/Presence:

- As an activity generator, **install a water fountain** outside the celebrated entrance of the skate park. Consider a fountain that provides water for **both a human and canine**. Dog Walkers and trusted adults might visit the fountain and potentially aid in deterring criminal activity or assist in medical aid requests. An example is shown to the right:
- Consider limiting the Skate Park population by **prohibiting the use of bicycles**. Although skaters might collide with one another, the collision between a skater and bicyclist can be more severe.



CLOSING COMMENTS:

I hope this report has been helpful in addressing potential safety issues and has given you some direction for possibly improving the safety of this proposed skate park. I cannot guarantee that I can address all safety concerns that might occur. It is the intent of this architectural plan review to identify possible security deficiencies and make positive and viable suggestions to reduce the opportunity of criminal activities.

Importantly, although the suggestions made in this architectural plan review have been carefully evaluated and have been proven effective in the past, MacAdam Protection Strategies wishes to emphasize that these measures in no way guarantee that you will never become a victim of a crime. If implemented, these suggestions are intended to deter, delay, detect, or deny the potential criminal by making the effort and risk of victimizing the skate park greater than he/she is willing to accept. There is no guarantee, however, that someone will not take such risk.

If you have any questions about this report, please call me at 510-306-4218. You may also contact me via e-mail at: wade@macadam-protection-strategies.com. I will be happy to assist you however I can.

Wade MacAdam, CPD
 Consultant / Advanced CPTED-Specialist
 MacAdam Protection Strategies
 www.macadam-protection-strategies.com

Page 12

Consultant Initials

Architectural and Site Committee

July 22, 2015

700 Monterey Avenue proposed Skateboard Park**Brian Van Son, Chief Building Official:**

All walls retaining 4 feet or more of soil require engineering.

Project must comply with accessibility standards both federal and state for parking lot and access to park.

A guard rail may be required improvements above 30 inches in height from final grade.

Moving 10 or more cubic yards of dirt will require a separate grading permit.

Craig Waltz, Landscape Designer:

Fence could be set outside the limit of skate improvements to create area for parents to watch. Could put grass and/or benches in this area.

The design could be mirrored onto itself to make the bowl more visible to the street.

Materials are good.

Place the street skating features closer to street as they can produce more noise.

Carolyn Swift, Historian:

There were buildings on this site for Camp McQuade up until WWII, but the property has since been redeveloped and it is unlikely that the project would have any effect on historic resources

Steve Jesberg, Public Works:**Storm Water Requirements**

1. At the time of submittal for building permit review, Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP) shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP).

2. 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.

3. 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). (Disconnect direct discharge of drainage).

4. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan. Erosion and sediment control shall be maintained throughout the duration of the construction project.

5. Grading and all construction must be occur only on park property.

Public Comment

Terry Tetter

- Reviewed goal of arch and site committee. Proposed park not in line with goal.
- Vandalism and spray paint at Derby Skate park. Many older skaters use Derby park.
- Skate park use would disrupt classroom and school activities

Richard Lippi

- Closest resident.
- Neighbors have not had a voice in project.
- Formed Protecting Our Public Parks (POPP) to protect and enhance public parks for the enjoyment of all citizens
- Experience in business management and development
- Master Plan absent for public Parks to consider all possible park uses
- Wrong location for a skate park. There are better uses that could go at Monterey Park. The proposed skate park location is the last vestige of unused space in Monterey Park.
- 3-D model is deceptive because surrounding images are not in 3D.
- Request that stakes are placed on the corners of the park.
- Questioned City noticing procedures

Elisabeth Russell

- Arch and Site: Encourage the most appropriate development. Emphasis on "most"
- Reviewed details of submitted GIS images and history of soccer use at Monterey Park.

- Discussed requirements for a legal sized soccer field. Monterey Park is the only public park that can meet the size requirements. City should consider all uses.
- A community meeting is needed to better engage residents. Process to date has lacked transparency.

Lisa Steingrube

- 95% of neighbors against size of skate park
- Residents need to be heard.
- Proposal to close to residential.
- Noise is #1 issue
- Parking and traffic issues
- Bicycle lane on Monterey will add to the parking issue.
- Aesthetics
- City does not need 2 skate parks in such close proximity

Helen Bryce

- Skate park not appropriate for residential neighborhood
- Open space will be converted to pavement. Need for green space
- Already building a skate park at McGregor
- Scenic vista
- Fence is ugly
- Damage to trees
- Loitering, school children, graffiti, after hour activity, noise from music
- Impacts to wildlife and birds who use the property
- Need to consider construction impacts
- Skate park would negatively impact school
- Traffic and parking will be impacted
- Noise from skaters travelling to/from the park will create additional noise along Monterey
- Cost of maintenance and police
- Groundwater and underground stream impacts should be studied
- State Law for children under 14.
- Drainage

Cattan, Katie (kcattan@ci.capitola.ca.us)

From: Graessle Family <graessles@gmail.com>
Sent: Tuesday, March 22, 2016 10:44 AM
To: City Council; PLANNING COMMISSION
Subject: Support the for Skateboard Park

Dear Planning Commission,

We would like to reiterate my support for the Monterey Skateboard Park. It is a well thought out plan that makes sense in our community. The time is now. The organizing committee has listened to the community and made many adjustments along the way, including safety, allotted space, beautification and the times available.

We look forward to all of our children (5 of them) enjoying the park in some way, either skateboarding or cheering or teaching the younger ones as they learn a new love of skateboarding. My youngest daughter, who is 5 years old can't wait to be one of the first ones to skate the park. We recently went to another park in another city, 20 min away and we realized soon enough that it was not age appropriate. In other words, the park was too challenging for her. This park is designed from the ground up to fit the right demographic, the ones who need to learn.

Now is the time, please take action and approve this park the City of Capitola and all its citizens to enjoy for generations.

Thanks for your consideration.

Warmest Regards,

Brett Graessle

Attachment: Public Comments (1416 : Monterey Avenue Skate Park)

Cattan, Katie (kcattan@ci.capitola.ca.us)

From: The Bowmans <dbow-man@pacbell.net>
Sent: Wednesday, March 23, 2016 5:54 PM
To: PLANNING COMMISSION
Subject: Skate Park Development at Monterey Park

Dear Capitola Planning Commissioners,

We have heard so much valid opposition to the Skate Park Proposal at Monterey Park from a number of folks from differing backgrounds - teachers, coaches, biologists, environmentalists, psychologists. I have my own particular experience since I worked as the lead custodian and lead campus supervisor at the school adjacent to Derby Skate Park - which is about 900 feet away from that school - much farther than the skate park being proposed here.

It is not ignorance or dislike for kids or skaters (as proponents have accused) that led me to my opposition, but rather my experience and knowledge. And I have provided numerous articles and videos identifying excruciating problems with existing skate parks around the state and country.

I keep wondering at what point do we listen to those with particular knowledge who caution and advise against a proposal? How do we hold back developers who seem to want what they want when they want it regardless of how it impacts others? And now I have heard of a possible economic conflict regarding a City Council member who has already voted.

This proposed location is just poorly chosen. It is just a bad idea. It is a bad idea for New Brighton Middle School - it is too close to classrooms and the campus. There is no example of an existing skatepark this close to a school. The skatepark developers have given examples that are not similar. This is a bad location for the neighbors of the park. It is too close to too many homes and neighbors who are opposed. And it is a very bad idea to send young children to a skatepark alone. This is apparently why some parents are supporting this location. They are in dangerous denial. If skateparks were only used by young kids and families there would not be a problem here. I can tell you from experience this is not the case. Parents must be urged to attend any skate park with their kids. This is the best way to keep kids safe.

I suppose the most relevant issue concerning the planning commission is noise. We know this would increase noise in a number of ways - at the skatepark itself and in the surrounding streets. And more importantly, it is the type of noise that is the problem. Trading the sound of families and kids playing for metal and plywood banging on concrete and trading global cooling plants for yet more cement, and creating a *second* skatepark within a few blocks of the first one in order to serve a very narrow population and business interest, when there is so much to at stake for the people and students and staff around Monterey Park, is a bad idea.

We would easily support a playground and a soccer field. That truly would be "for the kids".

Thank you for your hard work and consideration.

Best wishes,
 Chris Bowman
 714 Orchid Ave
 Capitola

Cattan, Katie (kcattan@ci.capitola.ca.us)

From: Craig Curtis <seemebythesea831@yahoo.com>
Sent: Tuesday, March 22, 2016 8:30 PM
To: Grunow, Rich (rgrunow@ci.capitola.ca.us)
Subject: 2015 Draft EIR / 2016 EIR for Monterey Park, Capitola, CA

Dear Sir and fellow Planning Commissioners,

I am absolutely opposed to the proposed skatepark at Monterey Park in Capitola, CA., yet I do support the skatepark at McGregor Drive in Capitola, CA. 95010

I am opposed to the skatepark at the beautiful and serene Monterey Park for many reasons, not the least of which include:

#1) The offensive, excessively loud, and 'unnatural' noise that is emitted from skateboards. Please remember this is uniquely: 1) Residential area, 2) a Scholastic/Educational neighborhood (New Brighton Middle School - with the notoriety of being a 'California Distinguished School'), and, 3) a Parochial neighborhood (Saint Joseph's Catholic Church) - where people worship God, have weddings, and also grieve and mourn the loss of loved ones at funerals.

#2) There already exists the amazing development of the McGregor Drive Skatepark. Simply, finish what has already been started!! It's nonsense to have two(2) skateparks within 1200 feet of one another. Perform the soil remediation at McGregor Drive, and then that location will be ideal for skateboarders, dog lovers, and any other neighbors/visitors to enjoy.

Thank you.

Respectfully,

Craig Curtis
[204 Washburn Ave.](#)
[Capitola, CA 95010](#)

Attachment: Public Comments (1416 : Monterey Avenue Skate Park)

Capitola Planning Commission
City of Capitola
March 23 2016

Friends of Monterey Park

Now that the City of Capitola has moved on in the process and built a skate park on the city-owned McGregor site that is designed for all age groups, this may be the time to stand back and see what our community really needs.

In 2011 the neighbors surrounding Monterey Park were asked by the City of Capitola asked us to "look at", the possibility of putting a 2000 sq. ft. skating spot at the Monterey Park site for children, (beginners). I was personally asked by a school board trustee to please consider the proposal. We as a community surrounding the park gave the City Council our approval to look at the project. As we started to leave a skate park city council meeting, again in 2011, councilman Termini was heard to say; "Now we can look at 4000, maybe 9000 sq.ft. park. We thought the matter was resolved when the city designated McGregor site as the Capitola Skate Park. A few years later we were blindsided by two corporate representatives of Santa Cruz Skate Boards, aka "two moms" who want another skate park on Monterey Ave. The group called, "Friend of Monterey Park", was formed to organize a voice in the process. We as a community surrounding Monterey Park were never called again for any input regarding the proposed park.

Capitola does not need two all ages skate parks. Mr. Novak's very generous donation of 200k from his skateboard co. to further promote his corporation on public land does not consider Capitola's rare open space issues.

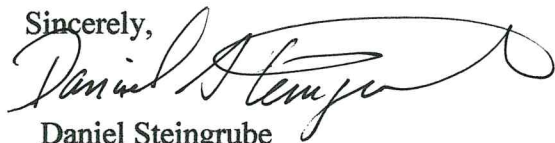
Monterey Park is a gem in the rough. It's a park being used by the silent majority, parents strolling with children, dog walkers from A.M. to P.M. pick up ball games, organized sports and practices, bicycle riders, and just people looking for a little serenity.

What needs to happen first is community input on permanent bathrooms to be located at the park. We as a community can look at possible changes to Monterey Park. Perhaps a real beginner skate spot such as Fredrick St. where young children can go with parents and learn basic skills skate boarding, razor scooter riding etc. then move on to McGregor and make all the noise they want with the benefit of plenty of exercise without disturbing the serenity of the larger community that wants to us Monterey Park and the people who live around it.

In Friend of Monterey Parks opinion the E.I.R. fell short in the noise section of that report, but however did acknowledge the overall noise level will increase.

Friends of Monterey Park are asking the Planning Commission to recommend the above considerations to the City Council.

Sincerely,



Daniel Steingrube
Friends of Monterey Park

Cattan, Katie (kcattan@ci.capitola.ca.us)

From: Deryn Harris <derynest@gmail.com>
Sent: Thursday, March 24, 2016 6:56 AM
To: PLANNING COMMISSION
Subject: Say No to Another Skatepark.

Dear Members of the Capitola Planning Commission,

I am writing to urge you to reject the proposal for a skate park development in Monterey Avenue Park.

As you know from the CEQA presentation provided to you by Planning Department Director Rich Grunow, Environmental Impact Reports do not include all the environmental aspects one takes into consideration when choosing where to live -- and, as I am sure you are aware, Capitolans cherish the beauty and richness of our diverse residential neighborhoods.

Although the EIR does not consider Monterey Avenue Park a “natural habitat”, I truly hope you can understand that the park is an important site for the enjoyment of trees, birds, animals, and open space by people of all ages.

Monterey Avenue Park is one of the few remaining green spaces in Capitola. It makes no sense to build another, second, skatepark here -- just 3/4 mile from McGregor Park.

Also, because this is a residential neighborhood, please consider the importance of maintaining the uniqueness of our neighborhood. This is one of the city’s goals, as stated in the general plan. A skatepark is simply not a good fit, nor an appropriate choice for a residential neighborhood.

Not all children skate, but all children benefit from grass, trees, and birds. Capitola residents, of all ages, need access to green spaces. Skateparks are great -- in the right location. That location is, of course, McGregor Park!

Please say no to the proposed skatepark in Monterey Avenue Park to ensure that Capitola’s children have a place where all can play. Thank you!

Sincerely,
 Deryn Harris
 Orchid Avenue, Capitola

Attachment: Public Comments (1416 : Monterey Avenue Skate Park)

Cattan, Katie (kcattan@ci.capitola.ca.us)

From: Dieter Rothmeier <dieter@gmail.com>
Sent: Wednesday, March 23, 2016 7:54 PM
To: PLANNING COMMISSION
Subject: Skate park at Monterey Park

Dear planning commission,,

I am a Capitola resident, and my son goes to New Brighton Middle School. I support a new skate park at Monterey Park.

Dieter Rothmeier

Attachment: Public Comments (1416 : Monterey Avenue Skate Park)

Cattan, Katie (kcattan@ci.capitola.ca.us)

From: Fridy, Linda (lfridy@ci.capitola.ca.us)
Sent: Wednesday, March 09, 2016 8:13 AM
To: Grunow, Rich (rgrunow@ci.capitola.ca.us)
Subject: FW: Proposed Monterey Avenue Skate Park News

For distribution as you see fit. Not signed, except for email.

From: Don Betterley [mailto:donbetterley@gmail.com]
Sent: Tuesday, March 08, 2016 6:58 PM
To: Fridy, Linda (lfridy@ci.capitola.ca.us)
Subject: Re: Proposed Monterey Avenue Skate Park News

Please pass along to all involved that we have been extremely opposed to this proposal for years now, even more now . . . it has severely divided this community, and a skate park has no place in this close knit Capitola community. A new skate park will be coming a short walk to the McGregor site, so why are you people even proposing this incredible disruption and abuse of local funds !!??

On Mon, Mar 7, 2016 at 2:09 PM, Fridy, Linda (lfridy@ci.capitola.ca.us) <lfridy@ci.capitola.ca.us> wrote:

Dear Capitola Resident,

This email is to notify you that the City of Capitola intends to present the proposed Monterey Avenue Skate Park to the Planning Commission on **Thursday, March 31 at 6:00 p.m.** The Planning Commission will issue a decision to approve, approve with modifications, or deny the project.

Staff will mail notices of the hearing to all property owners within 300 feet of Monterey Park at least 10 days prior to the Planning Commission hearing. All interested members of the public are invited to attend the hearing and to share their thoughts and opinions about the proposal.

Staff is currently working to finalize hearing documents and the Environmental Impact Report (EIR). The Final EIR will be published on or before March 21, 2016. Hard copies of the Final EIR will be available for review at City Hall, the Capitola Branch Library, and digital copies will be posted to the City Website at: <http://www.cityofcapitola.org/communitydevelopment/page/proposed-monterey-avenue-skate-park>

Also, the applicants have submitted revised project plans which have been posted to the City website. Plan changes include:

Attachment: Public Comments (1416 : Monterey Avenue Skate Park)

- The grading plan has been revised to export all excavated material off-site and to eliminate fill areas south of the proposed skate park and grading on school property.
- An approximately 2-foot high retaining wall is proposed on the southern site boundary adjacent to the New Brighton Middle School site.
- A drainage bioswale location is shown just north of the proposed retaining wall, and details are provided.
- Square-footage breakdowns are provided for the skate park components/features, and the fenced in area, resulting in a total skate park size of 6,028 square feet and a fenced area of 6,811 square feet.
- The previously proposed rock slant bank feature has been removed.
- The fence surrounding the skate park has been changed from a 6-foot chain link fence to a 6-foot wrought iron fence.
- ADA improvements in the parking lot and path of travel are shown.

Thank you for your interest in the project.

Cattan, Katie (kcattan@ci.capitola.ca.us)

From: Helen Bryce <helen.s.bryce@gmail.com>
Sent: Thursday, March 24, 2016 3:14 PM
To: PLANNING COMMISSION
Subject: Comments on Monterey Avenue Park
Attachments: Exposure to nature.pdf; H Castaniada LTR.pdf; H Robertson LTR.pdf

March 24, 2016

Dear Capitola Planning Commissioners,

Please reject the proposed skatepark development in Monterey Avenue Park. There are many reasons why this proposal is a very bad fit for this residential neighborhood, many of which were not addressed in the EIR. Many of the neighborhood concerns having to do with the impact of the development have to do with social and community issues related to environmental concerns not covered by CEQA. Please take these important issues into consideration.

I am very concerned to read the proposal makes mention of the possibility of removing the eucalyptus grove and the mature redwoods.

This is a terrible idea. Removing the trees would not actually improve visibility because the skating features are below ground.

And while the eucalyptus trees are not valued in the EIR, please know that this grove is much beloved by residents, park visitors, and students and staff of New Brighton Middle School. Special Ed students use the grove daily as a place to gather, exercise, and experience the beauty of nature. Families take photos there. The trees provide shade to the buildings at the school district. They are places where birds large and small gather. These trees are large and cannot simply be replaced without damaging the beauty and value of the park.

Regarding the statement that the eucalyptus trees in Monterey Park are not Heritage Trees: There are NO Heritage trees in Capitola, though many trees (in including the ones in Monterey Avenue Park) would certainly qualify for the designation. Capitola has simply not chosen to designate any.

Another concern I have is that the proposed development will eliminate the possibility of a future regulation soccer field in Capitola. The city and the school district need a soccer field much more that we need a SECOND skatepark.

And, of course, the city is already building a skatepark at McGregor Park, just 3/4 mile away.

Also, the Soquel Elementary School District has written letters expressing opposition to this development. All the PE teachers are opposed to both the location AND having two skateparks so close together. The school district has expressed numerous concerns about safety and supervision at the development and on campus. The Teachers Association and the NBMS Principal have expressed concerns as well -- many of which have not been addressed.

Another concern, expressed by the school district and by numerous individuals is that the development would eliminate green space.

Monterey Ave Park is one of the few remaining green spaces in Capitola. The promoters of this development are using inaccurate numbers when describing how much of the park the development would use. For example, they are using the existing parking lot in the size of the park. that's just wrong. Not all children skate. We must protect the green space for all children and for the future.

Regardless of the assessment performed for CEQA requirements, Monterey Avenue Park is a designated birding site. Numerous types of birds live in and visit Monterey Avenue Park, from tiny hummingbirds to hawks and falcons. This is one of the reasons people enjoy visiting Monterey Avenue Park.

Study after study after study demonstrates that having access to natural features -- especially TREES & grass -- improves learning, self-esteem, and sociability. Students who can see and visit trees are calmer, better able to concentrate, and make more appropriate choices.

I have attached one recent study: "Exposure to nature linked to stronger communities and reduced crime (December 2015)."

I have also included letters from the Soquel Elementary School District.

Again, I urge you to reject this inappropriate development in a Monterey Avenue Park. This is a residential neighborhood of unique quality and character! Thank you very much.

Sincerely Yours,

Helen Bryce

Capitola CA

Cattan, Katie (kcattan@ci.capitola.ca.us)

From: Jennifer Shaw <jshaw@cruzio.com>
Sent: Monday, March 21, 2016 3:00 PM
To: PLANNING COMMISSION
Subject: Skateboard park on Monterey Ave.

I sent a similar email to all city councilmen about this in January. Evidently it was among those not presented at a recent meeting - which I find disheartening. So here are my thoughts again:

I live in Brookvale Terrace on Plum St. (At Rosedale) and walk my dog daily throughout the neighborhood, frequently on Monterey and past the lovely park next to New Brighton School. What a great shame it would be to lose the wonderful serenity of this park. It is a treasure in the neighborhood. I also do not feel it would be fair to thrust the noise and extra traffic on all the homes across the Street from the park - ALL of whom moved here before any thought of a skatepark.

But mostly I object to building a SECOND park in this tiny town. Although the location on MacGregor has been criticized by many, the proposal was PASSED by all the agencies involved and a great deal of work has been done. Even though a private Individual/company has offered to pay for the new installation, the ongoing maintenance, and dealing with what will surely be related traffic and criminal problems, will have to be paid for by the City. I do NOT want my tax dollars used in this way, because we already have a park to maintain!

Jennifer Shaw
jshaw@cruzio.com
831-588-7409

Attachment: Public Comments (1416 : Monterey Avenue Skate Park)

Cattan, Katie (kcattan@ci.capitola.ca.us)

From: jlieberum@cruzio.com
Sent: Monday, March 21, 2016 2:07 PM
To: PLANNING COMMISSION
Subject: [Fwd: Skatepark at Monterey Park]

----- Original Message -----

Subject: Skatepark at Monterey Park
 From: jlieberum@cruzio.com
 Date: Mon, 21 December, 2015 7:31 pm
 To: rgrunow@ci.capitola.ca.us

Dear Mr. Grunow,

I think skateparks are great, but not too close to residential areas. I supported the park at McGregor Drive but oppose the skatepark at Monterey Park.

Since the city council has approved the project, I assume it is a done deal and the best that can be done is to mitigate the possible negative aspects. I have some thoughts to share in this regard.

Re: Noise

I hope some serious effort is put into finding the most effective noise barrier. I live at Brookvale Terrace Mobile Home park, about 200 yards, as the crow flies from the proposed site. For me the noise will probably be a continual minor irritation, for the folks living on Orchid Ave, or the school district staff, a potential nightmare. A good sound barrier is really important.

Re: Potential Bad Role Models

Imagining the skatepark will be used exclusively by little kids is unrealistic. Some older riders like to smoke pot and drink beer. The noise barrier might also be an effective sight barrier to facilitate that behavior. The city council needs to be on board with the police checking things out, at irregular intervals.

Re: A place to pee

The skatepark will likely be very popular. The number of kids using it will likely exceed the number of people using Monterey Park, for all other purposes, several time over. The skateboarders will need a place to pee. If no other place is provided, the back of the sound barrier might be pretty tempting.

I'm not sure exactly what the Community Development Director does, or if you have any influence in addressing my concerns, but I thought that I would give it a shot.

Sincerely,

John Lieberum

Attachment: Public Comments (1416 : Monterey Avenue Skate Park)

Cattan, Katie (kcattan@ci.capitola.ca.us)

From: John Hunter <jhunter@oneillwetsuits.com>
Sent: Wednesday, March 23, 2016 1:41 PM
To: PLANNING COMMISSION
Subject: Capitola Skatepark

Hello,

I fully support the Capitola Skate park. I grew up in the community at a time when Skate parks were being eliminated this put me and my friends places we shouldn't be. Having children in the Capitola /Soquel district i feel that it would be a great asset to the community to have a place for my kids and others to go when not in school. I feel the New Skate park is in an area that will benefit all.

Thank you

John Hunter
Product Designer
O'Neill Wetsuits, LLC



Cattan, Katie (kcattan@ci.capitola.ca.us)

From: Kailash Mozumder <kkmozumder@gmail.com>
Sent: Wednesday, March 23, 2016 11:40 PM
To: PLANNING COMMISSION
Subject: Proposed Skate Park at Monterey Park

Dear Capitola Planning Commission,

When considering what value the proposed Monterey Skate Park (proposed project) will bring to our community I ask that you revisit what the goals of the project are. I have been to many of the meetings and heard the concerns of those both in favor and opposition. From what I heard, and from reading the EIR, my understanding is that the three main goals are the following:

1. Maintain and maximize the utility of city parks and open space for the entire community.
2. Develop an easily accessible recreational skatepark on City owned property.
3. Minimize the City's development and operational costs.

Now I ask you this, if the proposed project does not get built will the City of Capitola be able to accomplish these main goals? I think a reasonable person that does not have a vested interest in the proposed project would argue that the McGregor Park does in fact accomplish all of those goals, adding value to our community without taking away from any of the existing parks and open space areas.

I am bringing up the point of McGregor Park because I believe that the EIR did not adequately evaluate the utility of that location. The response to my comment (Letter #16) states that the no-project alternative does evaluate whether McGregor Park meets the goals and objectives of the proposed project, I read the entire EIR, and it does not.

In addition to the common sense argument I make in the paragraphs below there is legal precedence that should be taken heavily into consideration. In the response to comments the FEIR states that the fact that McGregor Park is 0.75 miles away makes it too far away for the two projects to have any shared cumulative effects. That is the same error that was made by the City of Bakersfield when they lost in the case "**Bakersfield Citizens for Local Control v. City of Bakersfield**" where they approved two shopping centers to be built across the freeway from one another (December 13, 2004) 22. Cal. Rptr. 3d 203 (http://resources.ca.gov/ceqa/cases/2004/Bakersfield_Citizens_for_Local_Control-F044943.htm). I do not want our city to make this same mistake and suffer the unwanted burden and cost of losing an appeal the same way that the City of Bakersfield did.

Goal 1

What value does Monterey Park currently provide? Monterey Park is the only park and open space area large enough to accommodate field sports. Allowing the proposed project to be built would remove value from that park. Looking at Figure LU-4 in the 2014 General Plan we can see that there are very few areas designated as parks and open space in our City. In fact placing a skate park on any of those locations other than McGregor Park will take away from the existing value that those few parks bring to our community. Additionally McGregor Park is the only visitor serving location with enough space to accommodate a skate park. At many of the meetings the community stressed the need for a skate park that would prevent surrounding residents from needing to drive all the way to Scotts Valley. The McGregor Park location will easily accommodate both visitors and the local community.

Goal 2

Is McGregor Park easily accessible? As stated numerous times by those in favor of having a skate park in the City of Capitola, residents do not want to drive all the way to Scotts Valley to skate or allow their children to skate. McGregor Park is many miles closer than any other skate park facility and will be easily accessed by residents and visitors alike.

Goal 3

Does the City of Capitola need two skate parks? Currently the City has no experience operating a facility like this. The answer may be yes, but at this point we do not have any skate parks, so we don't know. Before taking on the additional burden of operating and maintaining two skate park facilities the City should observe and monitor the use of the McGregor Park and the costs the City incurs to inform the decision.

Thank you for your time, your hard work and your consideration.

Kailash Mozumder

Cattan, Katie (kcattan@ci.capitola.ca.us)

From: lilywebber <lilywebber@yahoo.com>
Sent: Tuesday, March 22, 2016 10:41 PM
To: PLANNING COMMISSION
Subject: Capitola Skate Park

To Whom It may Concern,

My two sons are avid skateboarders, constantly looking for venues near our home in Capitola to go. I struggle with many of our local parks as they are in neighborhoods not suited for young kids to hang out in (Mike Fox Park is near downtown, enough said). A skate park in Capitola would be a huge asset to our community and a positive, active outlet for our kids. This community is strong, affluent and in need of things like this. Myself and everyone I know is in strong support!

Thank you,
Lily Webber

Sent from my Verizon Wireless 4G LTE smartphone

Attachment: Public Comments (1416 : Monterey Avenue Skate Park)

Cattan, Katie (kcattan@ci.capitola.ca.us)

From: Mark Conley <mconley@mercurynews.com>
Sent: Thursday, March 24, 2016 6:34 AM
To: PLANNING COMMISSION; City Council; Tricia Proctor; Martorella, John (jmarto@pacbell.net); Nicole Conley
Subject: Skatepark

Dear, Council & Planning Commission -

I can't tell you how excited we are about the skatepark nudging closer to reality at Monterey Park. Our son Jake is an 8th grader at New Brighton Middle School and our daughter Ava will be a 6th grader there in the fall. Jake, 14, regularly skates at parks all across the county and beyond. Ava, 11, who is still dabbling on the quarter-pipe ramp in our driveway, will be able to confidently up her skill level at a small park like the one Rich Novak has graciously offered to build at Monterey.

As residents and homeowners in close proximity to the park, we have watched an influx of young families move into the neighborhood the past four years. It's clear that the time is right to provide more immediate outlets for those kids and the parents who want to support their passions. Monterey Park is safely accessible by foot and bike and situated in the middle of an active multi-use area. Adding a small, enclosed skatepark for young kids seems like a natural fit and a great way to meet the needs of the area's shifting demographics.

Capitola is a big part of the beach and board culture that make Santa Cruz County such an iconic destination — and a special place to live. Our kids play team sports like baseball and soccer, but they're also drawn to the unique individualism that plays out while riding a wave or carving across a concrete canvas. These sports are an important part of the community fabric and should be embraced just as fervently as more traditional ones. To have the founder of one of our most unique community brands (Santa Cruz Skateboards) offering to build a park in the neighborhood where he grew up ... it doesn't get any cooler or more apropos than that!

Thanks for thoughtfully guiding this project through. The kids of Capitola deserve it, and will very much appreciate it.

Sincerely,

Mark & Nicole Conley
 (Jake, 14 + Ava, 11)
 900 Kennedy Dr

Attachment: Public Comments (1416 : Monterey Avenue Skate Park)

Cattan, Katie (kcattan@ci.capitola.ca.us)

From: Matt Daniel <matthew.daniel2005@comcast.net>
Sent: Wednesday, March 23, 2016 11:11 AM
To: PLANNING COMMISSION
Cc: t.proctor@nhs-inc.com
Subject: In Support of the Skate Park in Capitola

Dear Planning Commission,

I am writing in support of the new skate park in Capitola. I have two children that will be attending New Brighton Middle School. I strongly believe that our community will benefit by providing a safe, healthy place for them to play, exercise and learn the growing sport of skateboarding. Our children need a place where they are allowed and encouraged to go. Thank you for helping our children and our community.

Sincerely,

Matt Daniel

Sent from my iPhone

Attachment: Public Comments (1416 : Monterey Avenue Skate Park)

Cattan, Katie (kcattan@ci.capitola.ca.us)

From: Michelle <mdaveyouse@aol.com>
Sent: Tuesday, March 22, 2016 3:07 PM
To: PLANNING COMMISSION
Subject: Capitola Skate Park

Hello Planners,

I wanted to reach out and thank you for being open minded to the possibility of a skate park in Capitola. Our family is pro skateboarding and I am pleased and relieved that our family and friends can skate, not only close to home but also in a safe area.

My family has attended as many meetings as possible to support the park. I attended the Environmental Impact Meeting and was surprised at how many folks felt that the skate park would be more noisy than the baseball and soccer games that they are already tolerant of. The location is ideal: close by but away from homes.

I thank you again for supporting the skate park and look forward to seeing you at the meeting at the end of the month.

Sincerely,

Michelle Ouse
and the Ouse Family

Attachment: Public Comments (1416 : Monterey Avenue Skate Park)

Cattan, Katie (kcattan@ci.capitola.ca.us)

From: turner1035@comcast.net
Sent: Wednesday, March 23, 2016 8:34 AM
To: PLANNING COMMISSION
Subject: Monterey Skate Park

Hello planners

I am with most excitement to offer my thanks for the undertaking of this small kid friendly skate park. Our daughter (New Brighton Middle School student), spoke at a prior council meeting, and several of her friends joined, to support this effort.

The location is ideal for kid safety access, and the plans appear in sync with developmental skate performance/skill building.

I am aware there will be near future talks to this agenda, so my family simply wanted to reach out and say thank you. We are hopeful to see this added playground option for our children become a reality.

Molly and Jason Turner

Sent from XFINITY Connect Mobile App

Attachment: Public Comments (1416 : Monterey Avenue Skate Park)

Cattan, Katie (kcattan@ci.capitola.ca.us)

From: Norm Lane <thenorm@sagatech.com>
Sent: Thursday, March 24, 2016 1:52 PM
To: PLANNING COMMISSION
Subject: To The Planning Commission

March 23, 2016

Dear Commissioners,

I am writing again today to express my opposition to the proposal of building a skating facility, by a private developer, in the beautiful Monterey Avenue Park.

A “skatepark” in this location is inappropriate for several reasons:

- 1) This is a residential neighborhood. The city professes a commitment to maintain the unique character of residential neighborhoods. A “skatepark” would certainly change the neighborhood. People live here!
- 2) The city is already building a skatepark 3/4 of a mile away in McGregor Park -- which is not a residential neighborhood.
- 3) The majority of residents oppose this project -- 95% of the people living adjacent to the park object to this location, for a myriad of valid reasons. The promoters of the “skatepark” constantly dismiss the concerns of the residents. They represent a business, not people -- and certainly not the residents around the Park. They don’t live here and will not be impacted.
- 4) New Brighton Middle School and the Soquel district offices immediately adjacent to the proposal. The proposed development is only 50 feet from the nearest school district building.
- 5) The City of Capitola must consider the physical & emotional well-being, and the learning environment, of the students of NBMS. The proposed development will be a distraction, will bring older skaters to the park, will create supervision problems and more.
- 6) The Soquel Creek Elementary School District opposes the development. The City of Capitola must maintain a positive working relationship with the School District. The City of Capitola should no allow this development next to NBMS.
- 7) As indicated in the January 5, 2016 letter from School Superintendent Henry Castaniada, none of the PE teachers at NBMS support the development. The PE teachers all feel that this proposed location is inappropriate next to the school, AND, having two “skateparks” so close to each other (see McGregor Park) is a bad idea.
- 8) Both Mr. Castaniada’s letter and another letter (dated January 7, 2016) from Assistant Superintendent Harley Robertson also express major concerns about safety supervision issues relating to older skaters and non-students using the “skatepark”, visiting the school campus, toilet facilities, and others.
- 9) The development would eliminate a future regulation soccer field for the city and the school district. How could Capitola justify completely eliminating regulation soccer for a SECOND skatepark?
- 10) The development would reduce green space used not only by the residents, but by the students at NBMS. In particular, the trees at Monterey Avenue Park, while not considered of value in the EIR, are much beloved by the residents of the neighborhood and by the students.

Attachment: Public Comments (1416 : Monterey Avenue Skate Park)

In particular, the Special Ed students gather daily at the eucalyptus grove where they climb, converse and enjoy the shade.

I'm sure that other people will have more issues to comment upon regarding this inappropriate development. I implore you to reject this proposed development in Monterey Ave Park.

Thank you very much.

Yours truly,
Norman Lane
Capitola CA

Cattan, Katie (kcattan@ci.capitola.ca.us)

From: Walter and Penny Disbrow <wa2pen@pacbell.net>
Sent: Wednesday, March 23, 2016 11:27 AM
To: PLANNING COMMISSION; City Council
Subject: Capitola Skate Park - Planning Commission Meeting - March 31, 2016

Dear Council Members,

I am pro skateboarding and in favor of the Capitola Skate Park on Monterey Ave. Younger generations of families are moving into Capitola. I have been following this project all along, and after reviewing the EIR and comments, I see nothing wrong and that's been proven with all the studies conducted and performed. There is nothing better than the sound of kids and their families enjoying all sports in a public park. Our family has lived in Capitola since 1945. I attended and graduated from 8th grade at Capitola Elementary School, now NBMS. This location is close, safe and easy access for the kids to get to.

Growing up in Capitola as a kid, my backyard was my swimming pool to the beach. We had a Bowling Alley, Theater, Arcade, Merry-Go-Round and Boat Rentals for use in the lagoon and seeing the sights up river. Today, none of these exist, except personal owned boats. The greatest gift you can give the parents and kids of Capitola, is this wonderful gift to Capitola from "**Richard Novak**", a kid who grew up in Capitola, attended and graduated from schools here, successful business owner and who is always wanting to give something back to the kids.

A special Thank you to Tricia Proctor and Marie Martorella for their endless hours working towards making this dream come true for their kids, and all the kids of Capitola.

Thank you to The Planning Commission and Capitola City Council. Looking forward to seeing you on March 31, 2016.

Sincerely,

Penny Disbrow

Attachment: Public Comments (1416 : Monterey Avenue Skate Park)

March 22, 2016

City of Capitola
 Attn: Planning Commission Members
 420 Capitola Ave.
 Capitola, CA 95010 (hand delivered)

Reference: The Proposed 6,811sf Skatepark at Monterey Ave Park---Final EIR

Subject: Major Objections to This Skatepark Project Proceeding

Dear Members of the Planning Commission,

This project should never have been allowed to proceed beyond the February 11, 2015 City Council meeting and certainly not beyond the May 12, 2015 deadline for the Applicants to submit a complete project application as required under the City's Master Application. Here are the reasons why...

THIS PROJECT WAS MISREPRESENTED TO THE CITY COUNCIL MEMBERS AND THE MEMBERS OF THE COMMUNITY ON FEBRUARY 11, 2015:

1. The re-submittal parameters set by the City Council on January 26, 2012, when the 9,000sf skatepark was rejected were as follows:
 - a. **A revised skatepark was to be 6,000sf OR LESS;**
 - b. **Softened features (so it's safer and less noisy), and;**
 - c. **Save the trees**
2. On Feb 11, 2015, the Applicants misrepresented the revised skatepark design to be 6,000sf. It was not until the Final EIR was published that the public was informed that **the skatepark is actually 6,811sf.**
3. On Feb 11, 2015, the Applicants misrepresented the new features as "softened" and they never described the changes---with good reason. **The features were not softened.** The 9,000sf skatepark design that was rejected in 2012 was merely scaled down as documented in emails from the Applicants to Dreamland Skateparks.
 - a. **SAFETY: The 6,811sf plan is not safer.** If anything, it is as dangerous, if not more, than the 9,000sf plan especially for the younger, smaller, beginner skaters.
 - i. Back in January of 2012, Mark Scott, of Dreamland Skateparks (the designer of the 9,000sf skatepark proposal) said, **"We usually don't recommend less than 10,000sf because it limits the flow."**
 - ii. Skateparkguide.com tells us that "It is important not to directly combine beginner and intermediate/advanced areas as **this design approach tends to be unsafe and leads to collisions.**"
 - iii. The flat bottom of the 6,811sf skatepark is 6 feet below ground level. **Any accidents, injuries, fights, etc. cannot be seen 6 feet below ground level.**

- iv. Skateparkguide.com tells us that **“Any skatepark design must have a minimum of 10 feet of flatbottom between obstacles and opposing transition.”** “Not being able to roll or run out of a ‘bail’ can mean the difference between a scraped elbow and a trip to the hospital.” **The 6,811sf plan has a mere 6 feet between opposing transitions.**
- b. **NOISE:** The 6,750sf plan has all of the noise-producing features of the 9,000sf skatepark **PLUS the Applicants added a rock textured slant bank to the revised skatepark without alerting anyone to this addition.** Great. More noise! **The 6,811sf plan offers the same noise-producing features as the 9,000sf plan.**
4. **SAVE THE TREES:**
- a. **Despite the popularity and beneficial existence of a small grove of eucalyptus trees** (north of the proposed skatepark) at Monterey Park that measures 80 feet wide x 100 feet long x 115 feet high the Draft EIR on page 4.1-4, last paragraph, reads, in part: "There are four eucalyptus and two redwood trees to the north of the project site... Although the current project proposal does not call for removal of any trees, **it is possible that the Planning Commission or City Council could require removal of up to eight mature trees located between the proposed skate park and Monterey Avenue to improve visibility for public safety purposes.**"
- b. Well, any reasonable person can see that **the proposed skatepark will be obscured from view on Monterey Avenue, trees or no trees**, but the City would allow a skatepark at Monterey Park AND THEN remove the trees, after the fact, under the premise of safety? Seriously? In these days of global warming---take away the only shade for the whole park?
- c. **SAVE THE TREES, stop the skatepark!**

THE APPLICANTS DID NOT SUBMIT A COMPLETE PROJECT APPLICATION, UNDER THE REQUIREMENTS OF A MASTER APPLICATION, BY THE ESTABLISHED DEADLINE OF MAY 12, 2015.

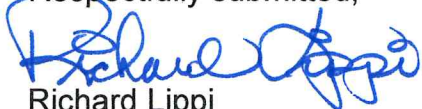
- In a City Council meeting held **February 26, 2015**, a motion was passed **“establishing a 90-day time limit for the submission of a complete project application** by the proponents of the Monterey Park Skate Park. **The deadline was thereby established at May 12, 2015.**
- **On May 14, 2015**, at a Capitola City Council Regular Meeting, at the end of the Public Comments section, Mr. Grunow addressed the City Council with a summary of the status of the skate park project. Reference time mark 0:30:45 of

the meeting video. He said, “We did deem the application complete late last week.”

- On May 29, 2015, I met with Mr. Grunow and Ms. Cattan at the front counter to determine if ALL of the documents required under the Master Application were, in fact, submitted and available to the general public for review. **There were many minor irregularities, but I also discovered significant shortages as follows:**
 - **Section B. Floor Plans and Elevations, item 3. Elevations:** “All four sides of the structure... ..existing and proposed.” **NO ELEVATIONS WERE SUBMITTED.**
Update: As of this writing NO ELEVATIONS are available to the public despite numerous inquiries into which features of the proposed skatepark are at-or-above ground level. Elevations would give us that information.
 - **Section B. Floor Plans and Elevations, item 6. Additional information that will indicate the design aesthetics, affect and compatibility with neighboring properties and uses.** I interpret this to require 3-D color renderings to illustrate the profiles of all features in the proposed skate park; depths, heights, textures and intensities of the obstacles in the skate park; the view from Monterey Ave where police may be cruising by to check on the activities; any spectator seating or standing areas that may be available, the intensity of the 6’ high iron fence surrounding the skate park; and more. **NO 3-D RENDERINGS WERE SUBMITTED.**
Update: 3-D renderings were submitted by the Applicants in the week following this investigation, but the 3-D drawings were “Photo-shopped” to squash the nearby buildings of New Brighton Middle School, the District Offices and nearby residences thereby distorting the proximity factor between the proposed skatepark and nearby uses.
 - **Grading details were missing from drawing SP5.** Subsequent to my May 29th visit, an additional drawing SP5 was supplied to the City. Now the package contains two (2) SP5 drawings, each showing different aspects of the grading scenario, but **only one (1) of the SP5 drawings was made available to the Architectural and Site Review Committee on July 22, 2015.**

For all of the above reasons the proposed skatepark project should be denied based upon gross misrepresentations of the project to the City Council and the General Public and failure to submit a complete project application.

Respectfully submitted,



Richard Lippi
620 Monterey Ave, Capitola

POPP is Protecting Our Public Parks

[POPP Home Page](#)

[Things the Skatepark Developers Don't Want you to Know](#)

General Design Considerations for Skateparks

There are skateboarding advocacy sites aplenty out there touting the merits of building a skatepark. But rarely would one find a neutral source. This site is no different! POPP feels it is important to avoid the trappings of mis-constructed or misplaced skateparks in communities or neighborhoods---but especially in established neighborhood parks in noise-sensitive areas. Below are considerations that point up important aspects that any municipality/developer should consider before constructing an in-ground skatepark in a public park.

Please [contact us](#) if you would like to help educate City leaders on this important issue. Every voice helps!

From: http://cloud.tpl.org/pubs/ccpe_SkateParks_Article.pdf

Many residents consider skate parks to be **LULUs—Locally Undesirable Land Uses** in planner-speak—and they want them as far away as possible. And that frequently is the outcome.

From: <http://www.skatepark.org/park-development/parkdesign/2010/11/types-of-skateparks/>

Skate Spot: Skate Spots are slightly larger than Dots—generally between 2,500 to 5,000 square feet and feature a small number of structures arranged so that the skater may move from one structure to the next in a single run. In addition to a trash receptacle, Skate Spots benefit from a nearby water fountain and bench seating. Skate Spots can support 5 to 8 users, one at a time.

(POPP Note: The facilities at Jose Ave park in Capitola, and the Frederick St Park facility in Santa Cruz fall into this category.)

Neighborhood Skatepark: A majority of skateparks in the United States can be considered **Neighborhood Skateparks**. They are between 6,000 to 10,000 square feet and feature a diverse arrangement of structures. Neighborhood skateparks have delineated edges so that it's clear where the skatepark begins. (Progressive skatepark design is moving away clear skatepark borders, however.) **In addition to trash cans, water and seating, neighborhood skateparks benefit from nearby parking...** though most users will skate to the park. **Available restrooms—even if seasonal—are recommended.** Neighborhood skateparks can support dozens of users with up to 6 skating simultaneously, depending on the size and design.

(POPP Note: The proposed skatepark at Monterey Park, and McGregor Skatepark in Capitola fall into this category.)

From: http://www.skateparkguide.com/design_basics.html

Flatbottom

Any skatepark design must have a minimum of 10 feet of flatbottom between obstacles and opposing transition. Skateboarders generate speed by pumping up and down transitions and can carry speed for good distances across flat, smooth concrete. Maximum flatbottom allows more skateboarders to skate simultaneously and avoid collisions. Recovery from the last trick and set-up for the next is made easier when one can adjust stance or line across the flat. No design should have two opposing walls where a skater can fall from one wall and slam into another. **Not being able to roll or run out of a bail can mean the difference between a scraped elbow and a trip to the hospital.**

(POPP Note: The proposed 6,750sf skatepark at Monterey Park has a narrow flatbottom of only 6 feet, in the middle.)

From: http://www.skateparkguide.com/what_is_a_skatepark.html

A skatepark designed to meet all skill levels will be between 18,000 and 25,000 square feet. A park of 10,000 square feet is the absolute minimum recommended. It is important not to directly combine beginner and intermediate/advanced areas as this design approach tends to be unsafe and leads to more collisions. It is best to determine the variety of events and features required for each skill level and then design buffer zones between each riding area. We know it can be a blast to zip full tilt around a park that really flows. But, it is more important to be realistic and make the skatepark safe for all users at all times of day.

All parks must have beginner areas. A beginner area is a portion of the skatepark where individuals with limited or no experience can practice in a controlled environment. It is essential for beginners to be out of the skating area of intermediate and advanced skaters for their own safety, and the safety of others. A beginner area should be between 5,000 to 8,000 square feet and should have slow sloping areas with small hips, moguls, banks, curbs and rail slides that range in height eight inches to four feet.

(POPP Opinion: The proposed 6,811sf skatepark at Monterey Park violates the majority of the above mentioned design parameters.)

From: <http://www.skatepark.org/park-development/vision/2014/01/choose-great-skatepark-site/>

How To Choose a Great Skatepark Site

– January 28, 2014

Article contributed by Spohn Ranch Skatepark

(POPP Note: See how the proposed 6,811sf skatepark at Monterey Park in Capitola fails using the design considerations listed below.)

1. How easy would it be for law enforcement and parents to patrol and check-in on the skatepark?

Nearly impossible at Monterey Park. The proposed skatepark would be obscured by knolls, trees, and parked cars.

Even if there were no obstructions, the middle of the skatepark would be over 300 feet from

Monterey Ave.

2. Does use of the site for a skatepark conflict with future plans for the space?

A complete Plan Study needs to be done at Monterey Park before installing a permanent, massive structure like a skatepark.

3. Does the site have existing support amenities such as parking, restrooms, water fountain, etc. within walking distance or would they have to be created?

Parking is at a premium now at Monterey Park and there are no restrooms.

4. Would use of the site for a skatepark conflict with other activities within the overall space? Would a skatepark displace an existing recreational activity?

Yes. All of the middle school PE classes would be negatively affected. Any future regulation-sized soccer field would be precluded.

5. Would use of the site for a skatepark damage natural or cultural resources?

Yes, if any trees are damaged during construction or removed in the name of "safety" after the skatepark is built.

6. Would the proximity to homes cause excess noise?

Absolutely! The permanent increase of noise of 5-7dBA, 8am to sunset, 365 days a year would be a HUGE environmental disaster.

(POPP Opinion: The proposed 6,811sf skatepark at Monterey Park fails on all 6 of the above design considerations.)

The Capitola Skateboard Park Code, Chapter 12.54, section 12.54.020, states in essence, that any person under the age of 10 may not enter or use the Skateboard Park unless supervised by a parent or adult guardian. What's disturbing about this is that the State of California Health and Safety Code section 115800 states that a municipality shall only be indemnified and held harmless for any accidents or injuries at a public skate park IF the skateboarder is at least 12 years of age and is performing some sort of "trick" or luge. **So one could imagine that the City of Capitola may be at risk for children ages 10 to 12 in cases of accident or injury ---- unless the City modifies the Skateboard Park Code. (POPP Note: Many municipalities in CA with skate parks use the 12-yo restriction of use unless supervised.)**

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Last modified: 03/21/2016

Send email and feedback to popp@greatoptions.net

<http://www.greatoptions.net/POPP/genrlcons.html>



Protecting Our Public Parks - to optimize the park experience for everyone without threatening the quality of life for anyone. Your contributions will help us continue this work. Please support our efforts by sending your donation to:

POPP or Protecting Our Public Parks at P.O. Box 636, Capitola, CA 95010-0636.

Thank you!!

Cattan, Katie (kcattan@ci.capitola.ca.us)

From: POPP is Protecting Our Public Parks <POPP@greatoptions.net>
Sent: Wednesday, March 23, 2016 2:59 PM
To: PLANNING COMMISSION
Cc: City Council
Subject: Denial of proposed 6,811sf public skatepark at Monterey Ave Park

Dear Planning Commission Members,

I am the Founder and Program Director of POPP. Our organization was formed in July of 2015 out of a need to protect our public parks from misuse and misappropriation that threatens the quality of life for anyone. We feel the proposed 6,811sf public skatepark at Monterey Park is misplaced and all POPP supporters oppose this project. At this time we have over 60 households on our mailing list, and the list is growing. On behalf of all POPP supporters, I ask that you deny the Applicant's proposal on this project.

There are several links on the POPP site that point to [problematic skateparks](#) in California and around the world. Locally, POPP supporters took the time to survey the residents near Derby Park and Jose Ave Park to find out if there were any problems with those facilities. The answer was YES and you can find excerpts of our study at <http://www.greatoptions.net/POPP/derby-jose/index.html>.

In contrast to the Derby and Jose Ave Skate Spots, we found that a skate park in Ojai, CA appears to be operating satisfactorily. Why?...because the location is nothing like that of Monterey Ave Park! Please visit our link to the Ojai Skatepark at <http://www.greatoptions.net/POPP/ojai-poindexter/index.html> and see what makes it very different. While you are there, please notice that the skate park at Poindexter Park adjacent to Chaparral Middle School has been a nightmare for the middle school. The closing comment from the Administration of Chaparral Middle School--"*If we had a choice, we wish it wasn't there.*"

Thank you for your kind attention to this highly contentious matter,
 Richard Lippi
 Founder & Program Director

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Pls visit us at www.greatoptions.net/POPP

Attachment: Public Comments (1416 : Monterey Avenue Skate Park)

Cattan, Katie (kcattan@ci.capitola.ca.us)

From: Richard Schmidt <richardschmidtsurfschool@gmail.com>
Sent: Wednesday, March 23, 2016 9:47 AM
To: PLANNING COMMISSION
Subject: Skate Park

To Whom it may concern,

I purchased a house in 1994 at 236 San Jose Ave. next to Derby Park. Part of the appeal of the house was the skateboard park at Derby. I have 2 boys ages 15 and 18. Having the park to skate next door was great for them. Often times they would skate over and enjoy after school, on weekends or whenever they needed to get out and burn some of their boundless energy. We have also had many of their birthday parties at the park as well.

I am sad to hear there is opposition to the skateboard park proposed next to New Brighton Middle School. Having lived next to Derby for all these years has not been a burden at all for my family but rather a blessing. I know some people have an idea of skateboarders being a rowdy bunch. However the most consistent crowd I see have been lots of young, respectful kids sharing and enjoying the skate park. Next to a school would be a perfect location access wise for kids. These days there is an epidemic of kids spending countless hours in front of a screen. (phone, computer, TV) They need healthy, inspiring opportunities to play outside. I feel that not going forward with this project would be a real disservice to the youth of Santa Cruz. I urge you to make the right decision in approving the park.

Sincerely,

Richard Schmidt

Attachment: Public Comments (1416 : Monterey Avenue Skate Park)

March 19, 2016

City of Capitola Planning Commission

Linda Smith, Chair

Gayle Ortiz

Ed Newman

T.J. Welch

Susan Westman

In 2012, residents of the quiet Cliffwood Heights neighborhood were concerned about the proposal by two private citizens who thought it was a great idea to build a skatepark in the middle of our quiet residential area, on the last remaining piece of City-owned open green space. The cost of the skatepark was to be covered by donation(s) and the City would then be responsible for upkeep, enforcement, etc. The Council has admitted that if the proposed project were not to be built with free money, they would not have considered it. This Skatepark is free like a puppy: the true costs go far beyond the initial construction costs.

I have two areas of objection to this skatepark: the impact on the quality of life in our community and the questionable process that has brought this project to a vote.

Impact on the quality of life in the community:

I agree the city needs a Skatepark, and I am happy that one is under construction at McGregor. We don't need a second Skatepark, especially less than $\frac{3}{4}$ mile from the first one, and for sure a Skatepark doesn't belong in a residential neighborhood! There are dozens of letters on file from members of the community outlining areas of concern including cost, loss of open space, inappropriate location next to the school, safety, noise, etc. Bottom line for me? I have lived here since 1983. Capitola is like paradise to me. I grew up in Coastal Southern California and have seen the horrible effect of rushed development and decisions made to satisfy a few wealthy residents leaving a lasting negative impact on the rest of the community. I treasure our local park, and enjoy my regular walks there, watching the birds, enjoying the sounds of softball and soccer. I do want the skaters to have their place to skate – which they will have, at McGregor.

Questionable process:

The City has discussed the need for a Skatepark for years, and finally moved forward with the skatepark currently under construction on McGregor – a great location for skaters, only needing some improvements to the trail access to the site. Unfortunately, the people who have proposed and advocate for the skatepark in Monterey Park seem unwilling to extend their donation to improving the park already under construction, preferring to insist that their donation funds go for a skatepark in Monterey Park or not be given to the City at all.

In 2014, the idea for a skatepark at Monterey Park (which the residents of Cliffwood Heights thought was long gone) resurfaced, and was discussed at many meetings.

In October 2014, Council member Termini wrote an email in response to a letter of concern about the proposed Skatepark at Monterey Park in which he stated: *"Until I see unanimous support for a Skatepark at Monterey I will not support the proposal...My Willingness to listen to this proposal was dependent on complete neighborhood agreement. Please pass the word that this effort is underway. And, I am not the least bit happy about the way it is proceeding. We have found a location for a skate park and I am willing to have it proceed as planned. The location is McGregor Park."*

I am still not clear why he then cast the deciding vote to move the proposal for a skatepark in Monterey Park forward in February 2015.

I encourage the Planning Commission to take into account both the negative impact adding a second skatepark would have on the quality of life in our quiet neighborhood, and to help the community understand the questionable process that has brought this project before you.

Thank you for your time and attention, and for the many hours you devote to helping keep Capitola the place we love – it really is like paradise!

Sincerely,



Stephanie Tetter
222 Junipero Court
Capitola, CA 95010
stephanie.tetter@gmail.com

Cattan, Katie (kcattan@ci.capitola.ca.us)

From: Rae, Scott A LCDR <Scott.A.Rae@uscg.mil>
Sent: Tuesday, March 22, 2016 8:54 PM
To: PLANNING COMMISSION; City Council
Cc: t.proctor@nhs-inc.com; maryrae603@gmail.com; Martorella, John (jmarto@pacbell.net); Rae, Scott A LCDR
Subject: Skate Board Park Support

Dear Planning Commission and City Council,

My family and I moved to California nearly two years ago. We currently live one mile from downtown Capitola and have enjoyed everything the area has to offer. One thing missing however is a skateboard park. Our son is a huge surfer and also a skateboard advocate. Skateboard enthusiasts (of all ages) enjoy spending time at a skateboard park. It's not only a place to hone skills but it's also a place for our kids to gather and meet. A skateboard park can be a very healthy addition to any community. My husband and I have spent many hours at the skateboard park watching our son, but also watching other talented kids which has led to us meeting other families. As of now, the nearest skateboard park is several miles away. We have to travel across town which is not convenient and during peak traffic times it is downright difficult. A skateboard park in the Capitola community would enrich the life of many. To many people think of skateboard parks as trouble or an eye sore, it's quite the opposite. It's merely a playground of a different sort that attracts people who enjoy being outdoors and the challenges a skateboard park provides both physically and mentally. We respectfully request approval of the skateboard park, you wont regret it.

Thank You,
Scott and Mary Rae

Attachment: Public Comments (1416 : Monterey Avenue Skate Park)



Capitola City Planning Commission

March 9, 2016

Dear Commissioners,

In 2000 I participated in a national campaign to promote organ and tissue donation. It was called the "Millennium Mayorathon". I was given the honor of being one of the Special Teams Mayors. I took the torch from town to town starting in San Francisco and finishing in Solvang. From there it passed to another Special Team's Mayor and so on across the country. At the time this was happening Dennis Norton and I were working at locating a place to put a skate park and how we were going to fund it. I thought that this campaign gave me a wonderful opportunity to see what other cities might be doing toward that same goal. The first real "hit" I got was in Atascadero CA. After the speeches and ceremony I asked the Mayor if they had a skate park or were thinking about one. He said that they had one and would I like to see it? We walked a block and a half from City Hall to an old tennis court which they had converted into a skate park. They had tasked the local High School woodshop students to build ramps and other structures that would challenge the skaters. It wasn't rocket science but it served its purpose and was well received by the community.

The next day we were in Grover Beach CA and the same scenario, but this time the Mayor was over the moon about their skate park. He hollered to the Police Chief to get a car and drive us about 12 blocks from City Hall to a residential neighborhood where they had developed a state of the art park on about 2 residential sized lots. This park had concrete bowls, ramps, rails, and jumps. In many other small towns there were plans to look into parks, but no progress had been made.

6 months later I was called to anchor the last leg of the Mayorathon from Providence RI to Washington DC. There were many towns where the same interest in providing a park was on their radar. In a couple in Connecticut and New Jersey they had built parks from professional to tennis court conversions. All the parks were near downtown or a school and some were in residential neighborhoods.

I hope you see the trend that seems to have been flushed out here. All the parks I visited had sidewalk access and were near homes or businesses. I point that out because the majority of the users of the parks weren't old enough to have a driver's license.

104 Cliff Avenue, Capitola, CA 95010

They had to walk (or skate) to the parks. The location of the proposed park on McGregor Dr. has no sidewalks leading to it. Only a bike lane. I have ridden on that bike lane many times and to say it is scary, is understating the condition. Cars cut the tangent of the turns leading to New Brighton Park all the time and can't see around all the bushes. The same is true for our community; the majority of the users aren't old enough to have a driver's license. They are going to have to walk (or skate) to the park. This is an accident just waiting to happen, and when it does I hope it isn't fatal.

Thanks to the efforts of two young women in the community, you have an opportunity to have built (they have the funds in hand to do so) a skate park which is in a walkable neighborhood, near a school, and near City Hall and the Police Station. I can't for the life of me see anything wrong with this proposal. Noise shouldn't be anything more than soccer, baseball, or the school playground. The hours can be limited to keep noise in the neighborhood to a minimum, and most of the users also realize they have to have some skin in the game and self-discipline the people who would disrupt the norm.

I don't envy your decision. Political pressures can be overwhelming at times, but if you give the proposal a real look I'm sure the safest and best located area is Monterey Park.

Thanks for your attention to this important matter,

Sincerely,

Bruce Arthur

Cattan, Katie (kcattan@ci.capitola.ca.us)

From: Terry Tetter <raoult@sbcglobal.net>
Sent: Wednesday, March 23, 2016 2:50 PM
To: PLANNING COMMISSION
Cc: Terry Tetter
Subject: Monterey skatepark E.I.R.

3/23/16

City of Capitola Planning Commission

Linda Smith, Chair

Gayle Ortiz

Ed Newman

T. J. Welch

Susan Westman

The Final E.I.R. for the proposed Monterey Park Skatepark failed to address my concern about amplified noise in a small residential neighborhood.

The E.I.R. did not address the noise that will be generated by amplified music from "boom boxes" as well as the major amplified music and P.A. announcements at skateboarding events that will be held in the park. Anyone who has been to a skateboarding event will remember the volume of the noise generated by the amplified music and announcements.

Instead of addressing the concern, the respondents dodged the issue by addressing the Capitola Land Use regs:

Impact 4.3-1: Exposure to Noise That Exceeds Standards. The project would expose project users to existing and future ambient noise levels, but would not expose people to noise levels that exceed the Capitola General Plan Land Use-Noise Compatibility Standards and City regulations.

The land use regulations forbid the use of amplified noise **WITHOUT A PERMIT**. The problem I'm concerned with is the amplified music and announcements that would happen **WITH PERMITS**. My fear is that the City Council, as presently constituted, could find it difficult to say "no" to any request made by the well-funded and politically influential skateboard community. There is a historical precedent that justifies my concerns:

When Monterey Park was first created, we neighbors were told there would be **NO** league play, only pickup games and practices. A few years later, we were told that league play would now be permitted, but only for softball. Once again, this rule changed later, now allowing hardball leagues to use the park.

Attachment: Public Comments (1416 : Monterey Avenue Skate Park)

Just because a Skateboard company has a “permit” to use amplification, that does not lessen the noise disruption to the immediate neighborhood.

As I see it, given the malleability of our City Government, the only way to keep amplified noise out of Monterey Park is to deny the application to build the skatepark, and direct the noise and traffic to the almost-completed skatepark $\frac{3}{4}$ of a mile away on McGregor. Please recommend a “no” vote on the Monterey Skatepark.

Thank you,

Terry Tetter

222 Junipero Ct.

Cattan, Katie (kcattan@ci.capitola.ca.us)

From: Trevor Bryce <trevorbryce@gmail.com>
Sent: Thursday, March 24, 2016 8:48 AM
To: PLANNING COMMISSION
Subject: Monterey Ave Skatepark

March 22, 2016

Dear Members of the Planning Commission,

I understand you are considering the proposed skate park development in Monterey Avenue Park.

I submitted comments on the draft EIR. However, I have additional concerns. I grew up in this neighborhood and I plan to raise my children here as well. I attended both Capitola Elementary School and New Brighton Middle School, so I am very familiar with the site of the proposed skate park development in Monterey Avenue Park.

One of my biggest concerns is noise -- but I do have additional concerns.

The final EIR states that noise is subjective. However, studies have shown that children are especially sensitive to noise. Even with the mitigation suggestions in the EIR, the proposed skatepark is far too close to the school and other noise-sensitive receptors: homes and churches. The nearest property line is only 50 feet (60 feet to the home). Additional residences are 100 feet away to 300 feet away. Skate park designers (Spohn Ranch) state that skate parks should be no closer than 500 feet away from homes. We know that the special education students are especially sensitive. We also know they spend time every day in the eucalyptus grove. That is where they get their contact with nature during the school day.

Noise, even at levels that are not harmful to hearing, is perceived subconsciously as a danger signal, even during sleep. The body reacts to noise with a fight or flight response, with resultant nervous, hormonal, and vascular changes that have far reaching consequences. Conventional dbA meters do not measure all types of sound that negatively impact people and wildlife. So, even if the legal requirements of the EIR have been met, the EIR does not measure all the sound factors that the Planning Commission should take into consideration.

Fifty feet is a lot closer than 500 feet!

In addition to my concerns about the final EIR, another big concern I have, is the over all quality of life in the neighborhood. The Capitola general plan states the importance of maintaining the unique quality of residential neighborhoods. I agree that this is of utmost

Attachment: Public Comments (1416 : Monterey Avenue Skate Park)

importance. This is a great neighborhood with families, seniors, and students of all ages.

A skatepark in Monterey Park would be a SECOND skatepark within 3/4 of a mile. This would dramatically change the dynamics neighborhood in addition to the school. The City of Capitola chose wisely when it decided to build a skatepark on McGregor Drive -- which is not in a residential neighborhood.

The promoters of this proposed skatepark do not live in this neighborhood and therefore will not be impacted by the skatepark. Perhaps this has made them unable to understand the consequences that this development would have on the lives of the people who have our homes here.

But I hope the Planning Commission will vote in favor of the residents. I urge the Planning Commission to reject the proposal for a skatepark in Monterey Avenue Park. Thank you!

Sincerely,
Trevor Bryce
Orchid Avenue
Capitola CA

Cattan, Katie (kcattan@ci.capitola.ca.us)

From: GABRIEL GARCIA <gabrielgarcia-@hotmail.com>
Sent: Thursday, March 24, 2016 8:10 PM
To: Grunow, Rich (rgrunow@ci.capitola.ca.us); ebottorf@yahoo.com; Harlan, Stephanie (sharlan@ci.capitola.ca.us); Norton, Dennis (dnortondesigns@msn.com); City Council
Subject: Monterey park skatepark

To whom it may concern:

I'm writing in regards to the proposed skate park on Monterrey park.

As a new neighbor to the park, I'm am highly concerned about this project, specially since i just moved across the street from it,

my main concerns about the project, are the permanent noise increments to the vicinity, the people it will attract and the ecological impact that cutting the eucalyptus grove will create.

You see, i grew up skateboarding so i know first hand that it is a very loud activity, and the sound from skateboards impact on concrete and metal is not a pleasant one at all.

all thought this skate park is "focused" on children i can assure you that there will not only be kids using the premises, but also young adults and older, that are very well known in the skate parks for causing most of troubles

in which i may include alcohol drinking, the use of drugs and loudly cursing, i'm not saying that all skateboarders are like this, but there will be this type of crowd!!! This is an environment that i will NOT like to offer to my kid.

my other main concern is the proximity tho the school, besides being a loud distraction to the surrounding classrooms, my kid will be attending New Brighton on the next year and it does not make me feel safe at all to have her walk back home from school and have to walk by a skatepark where there will be an unwanted crowd that is not limited to harassing or preying on smaller kids, so yes, this is a BIG CONCERN!!!!

i absolutely oppose to this project.

Please feel free to contact me if you have any questions.

Gabriel Garcia

Attachment: Public Comments (1416 : Monterey Avenue Skate Park)