

## Froelich, Brian

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**From:** Michael routh <qwakwak@icloud.com>  
**Sent:** Thursday, February 23, 2023 9:56 AM  
**To:** PLANNING COMMISSION  
**Subject:** [PDF] Fwd: Questions / answers re: cap rd housing proposal CORRECTED  
**Attachments:** The Bluffs at 44th Resident Screening.pdf; The Buffs at 44th Parking Management Plan.pdf

CORRECTED - USE THIS EMAIL

**From:** Michael routh <qwakwak@icloud.com>  
**Date:** February 22, 2023 at 3:43:01 PM PST  
**To:** COMMISSION PLANNING <PlanningCommission@ci.capitola.ca.us>  
**Subject:** Fwd: Questions / answers re: cap rd housing proposal

Planning Commission-

Please read the answers to the questions I posed to staff. Conceivably, there could be as many as 174 tenants under current rules - not likely but its not inconceivable to have as many as 80-100. If many of those are driving age, its dntirely possible there could be 60-80 vehicles among project residents. With only 36 spaces available, that means 24 - 44 vehicles seeking on-street parking in nearby neighborhood streets and businesses. Parking is already impacted in adjacent neighborhoods - please deny the requested parking waiver and require the legal maximum number of parking spaces for this project.

Sent from my iPhone

Hi Mick,

Please see responses below.

1. Do current county residents have priority to acquire a rental unit? [The city can encourage the developer to market with preference to residents that work or have accepted a job offer in the city. The recommendation cannot conflict with state and federal fair housing requirements/laws.](#)
2. Can an income qualified resident have unrelated adult roommates? [Yes, however all tenants must qualify individually. The applicant has provided a tenant screening program \(attached\). HCD further prohibits local agencies from exclusive definitions of family or household that only include related individuals. Jurisdictions may not distinguish between related and unrelated individuals and may not impose a numerical limit on the number of persons in a family.](#)
3. Is there a maximum # of people that can occupy a unit? What is that maximum? [HCD does not allow local agencies to define the number of persons in a household. Overcrowding is a separate issue and jurisdictions can enforce health and safety standards. The applicant's screening program states a maximum of 2 per bedroom +1 per unit as the maximum occupancy.](#)

4. Are parking spaces assigned or unassigned? [Assigned. The applicant has provided a parking management plan \(attached\).](#)

5. Can students rent these units? [The screening program does not specifically exclude individual students. It states "Household consisting solely of fulltime students may not qualify. Consult Manager for exceptions."](#)

Also, I found a stack of 8 public notices that were mailed this week lying on the ground in front of 4605 Crystal. They were never delivered by the postal service. – [I would be happy to pick up the postcards and drop them off at the Post office.](#)

Brian Froelich, AICP  
Senior Planner  
City of Capitola  
831.475.7300 x 259

[bfroelich@ci.capitola.ca.us](mailto:bfroelich@ci.capitola.ca.us)

**Planning Counter Hours: 1 p.m. - 4 p.m., Monday - Friday**

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

From: Michael routh <[gwakwak@icloud.com](mailto:gwakwak@icloud.com)>

Sent: Sunday, February 19, 2023 12:00 PM

To: Herlihy, Katie ([kherlihy@ci.capitola.ca.us](mailto:kherlihy@ci.capitola.ca.us)) <[kherlihy@ci.capitola.ca.us](mailto:kherlihy@ci.capitola.ca.us)>; Sesanto, Sean <[ssesanto@ci.capitola.ca.us](mailto:ssesanto@ci.capitola.ca.us)>; Froelich, Brian <[bfroelich@ci.capitola.ca.us](mailto:bfroelich@ci.capitola.ca.us)>

Subject: Questions re: cap rd housing proposal

Can one of you please provide me with answers to the following questions related to the low cost housing proposal prior to the 3/2 PC mtg?

1. Do current county residents have priority to acquire a rental unit?
2. Can an income qualified resident have unrelated adult roommates?
3. Is there a maximum # of people that can occupy a unit? What is that maximum?
4. Are parking spaces assigned or unassigned?
5. Can students rent these units?

Also, I found a stack of 8 public notices that were mailed this week lying on the ground in front of 4605 Crystal. They were never delivered by the postal service.

Thanks.

Mick Routh

Sent from my iPhone

## Froelich, Brian

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**From:** Janet Reynolds <jlynnreynolds@gmail.com>  
**Sent:** Thursday, February 23, 2023 2:10 PM  
**To:** PLANNING COMMISSION  
**Subject:** 36. Unit low-cost housing proposal.

To: planning commission,

I live around the corner from where the 36 unit low-cost housing on Capitola Road is proposed.

In our quaint town of Capitola,  
... there will be parking issues, people issues, traffic jams. Capitola is a lovely small quiet beach town, let's keep it that way. I totally object to this proposal. Please do not let this pass.

Janet Reynolds

## Froelich, Brian

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**From:** Justin Nielsen <nielsen.engineering@gmail.com>  
**Sent:** Thursday, February 23, 2023 5:05 PM  
**To:** PLANNING COMMISSION  
**Subject:** Development on Capitola Rd  
**Attachments:** Screenshot\_20230223-170055.png

I want to comment that this building is too dense and needs more parking. My understanding is that many allowances are being contemplated and I live on Grace St. Parking is already tough here after 5pm. I have to park around the block if I get home after 6pm. We need more than 36 spots. The planning commission should follow the zoning laws we have, or change them permanently.

**Froelich, Brian**

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**From:** Gail Cothes <gailco2@icloud.com>  
**Sent:** Friday, February 24, 2023 4:54 PM  
**To:** PLANNING COMMISSION  
**Subject:** Allocated parking

It unfair and irresponsible to build housing without adequate parking spaces. Soon there will be parked cars everywhere impacting homes and businesses. It is unfortunate that the face of Capitola by the sea is changing but if you must please consider those that already live here and provide adequate parking. Thank you Sent from my iPhone



**To: City of Capitola Planning Commission**

**Date: February 24, 2023**

**We are writing in support of The Bluffs at 44th (4401 Capitola Road), Item #5.D on your March 2, 2023 agenda.** This affordable housing development project would bring 36 much-needed homes to Capitola, with a range of 1-, 2- and 3-bedroom units suitable for families. It would also include a community room, on-site management, and common areas such as picnic area and playground.

This project includes 25 project-based vouchers. Given the approximately 12,000 people on the Housing Authority List, the need for more affordable housing is undeniable and urgent.

Santa Cruz YIMBY seeks to build a community where our neighbors of all ages, cultures, and incomes, can make Santa Cruz County their home. **This project is on a popular transit route and near a variety of amenities including the Capitola Mall, grocery stores, pharmacies, restaurants, the Capitola Public Library and Jade Street Park.** We must respond to the climate crisis by seizing these opportunities to build housing near jobs and schools, with options for public transit, biking and walking. **This is the sort of infill housing that we need to address our housing affordability crisis.**

**We understand The Bluffs to be zoning compliant and general plan compliant. We urge you to approve the permits that allow this project to move forward.**

Sincerely,

Graham Freeman  
Ryan Meckel  
Janine Roeth  
Rafa Sonnenfeld

Santa Cruz YIMBY leads

*Santa Cruz YIMBY Mission: We envision a community where our neighbors of all ages, cultures, abilities, and incomes, can make Santa Cruz County their home. In response to the ever-increasing cost of living, we advocate for more affordable housing to meet the needs of our growing population.*

*Santa Cruz YIMBY is a chapter of YIMBY Action, a 501(c)(4) nonprofit organization.*

**Froelich, Brian**

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**From:** Brenna Keeler <goldenarrowhealing@gmail.com>  
**Sent:** Saturday, February 25, 2023 8:41 AM  
**To:** PLANNING COMMISSION  
**Subject:** require more parking

please require more parking for the affordable housing unit so that it doesn't overwhelm the jewel box community.

brenna keeler  
(they/she/he)

**land: awaswas & amah mutsun territories**

(831) 325-8455

goldenarrowhealing@gmail.com

## **Froelich, Brian**

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**From:** Jenny Hansen <jkhansen123@yahoo.com>  
**Sent:** Saturday, February 25, 2023 3:47 PM  
**To:** PLANNING COMMISSION  
**Subject:** No to low cost housing 36 units in Capitola

The housing unit on 45th Ave should not move forward. That area is already low on parking and being a local in the summer time there is NO parking. This can't move forward b/c of strain on traffic and lack of parking.

Jenny Garley  
Chief Science Officer  
NEWAGE Laboratories  
Cell: (408) 201-3486



## **Froelich, Brian**

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**From:** Robin Rudy <Rudyhouse22@hotmail.com>  
**Sent:** Saturday, February 25, 2023 6:14 PM  
**To:** PLANNING COMMISSION  
**Subject:** Proposed Development 45th Avenue and Capitola Road

To whom it may concern-

I am writing because I am a resident on 49th Avenue at Capitola Road and am concerned about the lack of parking in the proposed development at the above address. I am all for more housing, but ample parking spaces should be mandatory to not negatively impact the neighborhood. In order to make it a win-win for everyone, please set realistic guidelines for the developer instead of what they proposed. It seems developers are usually most focused on profits and not what's important to neighbors.

Thanks for reading this note~

Robin Rudy

**Froelich, Brian**

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**From:** Jim Machado <deluxecab101@gmail.com>  
**Sent:** Sunday, February 26, 2023 2:46 PM  
**To:** PLANNING COMMISSION  
**Subject:** Proposed building project

Dear Commissioner's I am writing this regarding the proposed apartment project on Capitola Rd between 44th Ave and 45 the ave. I believe the proposed on site parking requirements are very inadequate and will create a lot of vehicle spillover into surrounding areas. I believe as a very minimum that at the very least at least two parking spaces be required for each unit.

Sincerely, Jim Machado

**Froelich, Brian**

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**From:** Jill Ginghamfer <jillginghofer@cruzio.com>  
**Sent:** Sunday, February 26, 2023 4:23 PM  
**To:** PLANNING COMMISSION  
**Subject:** Projected buildings at 44th Ave & Capitola Road

Please change project to include 1-1/2---2 parking places per apartment. It is the worst kind of planning to build without allowing for parked cars.

*JILL GINGHOFER*

**Froelich, Brian**

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**From:** tim wan <timwingwan@yahoo.com>  
**Sent:** Monday, February 27, 2023 10:37 AM  
**To:** PLANNING COMMISSION  
**Cc:** tim wan  
**Subject:** Re: Proposed 36 Unit Housing Project at 45th Ave. and Capitola Road

Honorable Planning Commissioners:

I live in my condo in Capitola Shores. I have owned my condo since 1990.

I am familiar with the location of the proposed building project.

My concern is the lack of needed parking as described in the developer's building proposal.

Please discuss/negotiate with the developer on providing twice as many as the proposed number of parking spaces inside the building complex.

Currently, due to existing inadequate parking in the Jewel Box neighborhood, many vehicles from neighbors living near Capitola Shores have already spilled over and unsafely cluttered the streets within a half-mile radius of the area of the proposed building location.

Also, please consult with the Capitola Police Chief on discussing/negotiating with the developer to provide police funding on an on-going basis, directly to the Capitola Police Department annual operating budget, in order for the City of Capitola to be able to mitigate foreseeable traffic and safety concerns for all residents, within a 20-minute walking distance of the 45th Ave. and Capitola Road location.

I understand the jurisdictional authorities of the state and federal governments on providing additional housing units. However, the City of Capitola Planning Commission must not give up its own local, legal authority to regulate legitimate parking and safety concerns on a proposed building project within the city limits of Capitola.

Thank you for your consideration.

Sincerely,

Tim W. Wan  
1450 42nd Ave. Unit 3  
Capitola

Paula Bradley  
1841 44<sup>th</sup> Avenue  
Capitola CA 95010

February 27, 2023

Capitola City Hall  
Community Development Department  
420 Capitola Avenue  
Capitola CA 95010

Attention: Brian Froelich, Senior Planner, and the Planning Commissioners

RE: Planning Commission hearing 3/02/2023 - Item 5(D) - 4401 & 4525 Capitola Road Permit #22-0244

Dear Mr. Froelich and Planning Commissioners:

For the original public hearing 1/19/23, I submitted comments and questions dated 1/16/23. My letter was received, but I did not receive a response to my questions prior to or at the public hearing by staff or the developer.

This is a big project for Capitola – 36 units of desperately needed affordable housing. Although the developer is allowed a density bonus, concessions and waivers for most of the zoning code requirements, they should still make a good faith effort to gain the Community's acceptance and the Planning Commissioners should review the merits and deficiencies of the project. I was surprised that the developer did not provide presentation of their project or answer the public's questions and address their concerns. This is a new developer with no track record, with only two projects recently completed. Cambridge Real Estate Services out of Portland and is also new to the area. Once built, the success of this project and minimizing issues depends on pro-active, engaged property management and ownership.

The attachments for property management, resident screening and the parking management plan are helpful. Each applicant is required to list their vehicles. There is only one parking space per unit. Since adequate parking is the main issue with the project, assuring that there will only be demand for one parking space would resolve the parking problem for the most part. The 36 units is not as objectionable if we can be assured there will only be 36 vehicles, associated with the development. It makes sense NOT to accept applicants with multiple vehicles to rent a unit since there is only one parking space per unit. If the City cannot deny the requested parking reduction, then add a limit of one vehicle per unit to the resident criteria. There may be dozens of applications for these affordable units.

Parking spaces are expensive, the developer could offer incentives for residents who do not own vehicles such as a bus pass, or e-bike share discount.

The following are my revised questions including those which have not been addressed from my first letter:

1. Parking – Please require that the developer not accept applicants with multiple vehicles to rent a unit since there is only one parking space per unit. If the City cannot deny the requested parking ratio reduction, then add a limit of one vehicle per unit to the Criteria for Residency.
2. Property Management –
  - a. According to the Property Management Plan, the third-party background check firm will recommend applicants to the property management agent – so will the property management firm approve applicants?
  - b. Will the property manager also screen and approve the project-based Section 8 applicants?
  - c. If there are dozens or more applicants for a unit, will there be a lottery or is it still first come first served?
3. Bicycle parking - It's great that the bike parking spaces will exceed the standard.
  - A. Please explain what the long-term bicycle shelter parking is next to the Community Building (Site Plan A1.0) – how will bicycles be secured from theft? If I was a resident, I would only park my bicycle inside my unit unless there is secure bicycle parking (fenced enclosure, a locked building, key or card access?).
  - B. Bike parking spaces should be located close to the destination and where there are eyes on the bicycles.
  - C. Provide an elevation showing the types of bicycle racks to be provided, both short and long term. They should be the types recommended by NACTO or current bicycle guidelines.

If the bicycle parking is not secure, it won't be used and there are no elevators. Many bikes are too heavy to carry up the stairs to an apartment.

4. What is the oval shown on the site plan behind the kids playground (Site Plan A1.0)? Is it a dog exercise area with waste disposal? If not, the project should be required to have one for 36 units.
5. Landscaping and maintenance - Landscaping should be required to be maintained in a healthy, growing condition and plants or trees not thriving should be required to be replaced. One typically sees a beautiful landscape plan installed, then after 2 years they turn off the irrigation and no longer maintain it. Please add a condition to maintain the landscaping in a healthy growing condition for the life of the project. The trees will never reach 44% canopy if they are not thriving.
6. Perimeter fence – the conceptual rendering shows what appears to be a six-foot wood plank fence. There is an existing concrete wall for the Capitola Gardens – Seems like a concrete wall would be preferable and last longer. Is it proposed to be demolished?  
Please require a condition to show the elevation, color and materials for the perimeter wall.
7. Design - overall the design looks good.  
The west elevation on 44<sup>th</sup> Avenue needs more architectural details to break up the mass, especially with no second or third story step backs. The ground floor elevation (streetscape) has one very plain door with no details and no front entries. Is this an exit only door? This west elevation is a street frontage, not an interior or rear elevation as it appears.

Thank you

Paula Bradley

**STAFF - PLEASE FORWARD TO PLANNING COMMISSION MEMBERS PRIOR TO 3/2/23 MTG**

Planning Commission,

A little history, observations, and a request.....PLEASE READ.

Beginning in 1972 until about 2000 there was a prevailing philosophy that developed among City Council members and their appointed planning commissioners that gave direction to the city - protect, preserve, and enhance the character of Capitola for all residents.

Prior to 1972, the council and planning commission were very pro-development. There were efforts to condemn the Lawn Way cottages. Much of the town was zoned RM-1000, allowing one unit per 1000 sq feet of lot area. The large condo projects along Park Ave were approved. The high density McKeon condo project between 42nd and 45th Ave was approved and under construction. There were proposals to build a large hotel where the Capitola Mercantile is, a proposal for a 7 story office building where the DMV is located, a planning commissioner proposed filling in the beach and ocean east of the jetty to create a parking lot, another proposal called for a jetty to be constructed from the bluff at Opal Cliffs Dr / Cliff Dr out and around the wharf to create a protected yacht harbor. The unique character of Capitola was threatened by development that would have destroyed Capitola's unique qualities that today make it such a special place.

Unsurprisingly, all of these projects and proposals triggered a major backlash in the community and resulted in the City Council majority being voted out in the 1972 election and a 3-2 majority favoring the preservation of Capitola's uniqueness took control. This council majority immediately rewrote the General Plan and downzoned most of Capitola. One prime example resulting from the change in allowed densities can be seen in comparing the McKeon condo project bounded by 42nd and 45h ave known as Capitola Shores with the McKeon condo project on Kennedy Dr known as Capitola Knolls. Capitola Shores is pre-1972 and Capitola Knolls is post-1972. This was a time of political struggle for the future direction of Capitola - the two council factions were both targets of unsuccessful recalls, and there was a lot of acrimony between the two groups . One council member on the pro-development side, Phil Walker, angrily resigned. The council majority withstood legal threats and recall efforts but moved forward to save the character of Capitola. They had some fortitude..

In 1974 there was a slight resurgence of the pro-development forces with the election of Hill Nelson, John Dixon, and Tom Mason. but their political power was tempered now by a community that was actively involved and opposed big developments that would detract from Capitola's character. It was during this time that the new general plan prevailed - large development would be limited to the 41st Ave corridor. The Village and neighborhood areas were off limits to big development. The north 40's would be an area for multiple residential development. Capitola Rd would be a mixed use transition area with strict height limits and use restrictions. Today's General Plan still reflects those ideas developed in the '70's.

In the 1978 council election, Mason, Dixon, and Nelson, were all defeated. This marked the end of the pro-development forces and began a 22 year era where the primary goal was to preserve, protect, and enhance the character of Capitola. During this time, every city park was developed, the wharf was acquired and restored, and the community center at Jade St park was built. The city and Soquel school district worked together cooperatively and the city built the gymnasium at New Brighton School. The Rispin property was purchased. The city adult recreation programs were started. The McGregor Dr property was purchased. The junior guard program came into existence. A new city hall was built. Mobile home park rent control was

initiated and programs to facilitate mobile home park residents to purchase their parks were implemented. The mall and 41st ave was developed and became the commercial hub of the county. The auto center was developed. The Clares St loop was created to develop the Brown Ranch Center. The AAA complex and DMV on Capitola Rd was built (notice the bldg height when you drive by). A proposal to develop a hotel on the Mercantile site resurfaced and was defeated. Bay Ave was developed. it's important to note that many of these projects were generated by ideas originating from City Council members, not the staff.

It appears this shared philosophy among Council, planning commission, and especially staff that their primary role was to preserve, protect, and enhance the character of Capitola has weakened and possibly no longer exists. Why?

One of the factors that contributed to this philosophy prevailing for nearly 3 decades was there were no term limits on the city council until 1996. The City Council and staff could devise and implement long term visions. There were no huge turnovers on the council or the planning commission that would change the guiding principles and shared commitment to protect the character of Capitola. And the city had a dynamic city manager, Steve Burrell - one who conceived ideas to make Capitola better and knew how to make those ideas a reality. Today, and since Susan Westman retired as city manager, Capitola has not had a city manager who brings forth ideas to improve our town - They simply "manage" what has already been accomplished, lack vision, and have failed to present new ideas to improve our community. Nor does the City Council bring forth new ideas for projects to improve and beautify Capitola. The last council member to push new public projects was council member Norton. Since he was termed out, council members have just routinely approved what staff proposes but rarely, if ever, bring any new ideas forward for projects to enhance the community. There has been a lack of vision and energy. City council meetings have evolved into a routine where staff and elected officials rarely, if at all, propose any new ideas or new projects to improve the city. It's all routine maintenance of what's been accomplished in the past, reacting to developer proposals, and rubber stamping routine agenda items. Council members have become reactive, not proactive.

Since 1996, with the advent of term limits, the city has experienced a lot of turnover on the council and planning commission. As such, over the last two decades, the shared philosophy to preserve, protect, and enhance the character of Capitola has slowly been weakened and left to staff. Institutional memory has been lost. Recent State laws have further challenged the city's ability to retain the character of Capitola. It's times like these that the City Council and Planning Commission have to make a renewed commitment to save Capitola's character from the onslaught of new state laws that threaten our community. That means opposing development projects that will forever change the character of our community. No matter what state laws dictate, the city should seek legal means to stop developments that threaten Capitola's small town feel and just don't "fit" in Capitola.

The Council, Planning Commission, City manager, and Planning Staff all need to be on the same page when it comes to preserving the character of Capitola. This will take strong leadership and direction to staff from the Council and City Manager. The future of saving Capitola from cookie cutter development proposals, to preserving our unique features, has never faced a bigger threat. It's up to the staff, planning commissioners, and especially council members, to take a strong stand to save the character of our unique little town and uphold the legacy of 50 years of effort by citizens and previous city officials, because as it's chipped away, little by little, Capitola's charm, character, and small town feel will be lost forever.

You can start by denying approval of the affordable housing proposal for Capitola Road. This project violates every aspect of our zoning ordinance and general plan. It is totally out of character, both architecturally and in size, with the surrounding neighborhoods. It's a slap in



the face to all the past efforts to save Capitola from tacky, too large developments that negatively impact our neighborhoods and community as a whole. It has inadequate parking for the size and number of residential units with a total of 69 bedrooms and a potential 174 residents. SINCE IT HAS BEEN DETERMINED NO MAJOR TRANSIT FACILITY IS WITHIN 1/2 MILE OF THE PROPOSED PROJECT, THE CITY HAS THE AUTHORITY TO DENY THE WAIVER FOR REDUCED PARKING!

Because the surrounding neighborhood parking is already impacted, this project contributes to an existing problem and exacerbates health and safety issues for the residents. Nearby commercial parking lots at the AAA building and the Dharmas' restaurant center will be negatively impacted by residents of the project utilizing that parking. Planning Commissioners and / or the City Council, who have routinely pledged to protect the integrity of our neighborhoods, should deny the waiver for reduced parking and direct the staff and city attorney to make findings that support the denial. The staff and city attorney work for you, not vice-versa. Recognize and support the past efforts by Capitola officials and residents to keep Capitola a unique, special place. This project would never have been approved in the past and it should not be approved now. Deny approval of the project based on inadequate parking or require additional parking. Damn the torpedos! Have some backbone! That's what you should do as city leaders.

Respectfully,



Mick Routh

City Council member 1972 -1995

Mayor 1978, 1979, 1980, 1984, 1985, 1986,

Planning Commissioner 2012 - 2016, 2018 - 2022