

ATTACHMENT 12

Whale Hedge Studio
Bill Fravel Watercolors

51 Ocean St. Davenport, Calif. 96017-0178
(831)458-1059 (831)458-3119



8/31
FAX
TO: A. JAMES
FR: M. FRAVEL

August 31, 1998

Mr. Kim Tschantz, CEP
Deputy Environmental Coordinator
Senior Planner
Planning Dept.
Santa Cruz County
701 Ocean a.
Santa Cruz, CA 95060

Dear Kim:

I AM WRITING THIS LETTER TO REQUEST THAT YOU, YOUR DEPARTMENT, OR WHOMMR IS RESPONSIBLE TO ASSURE THAT PLANNING RULES AND PROPERTY LAW ARE FOLLOWED IN THE COUNTY, BRING THE TREES AND SHRUBS (THAT HAVE BEEN ADDED BY THE OWNERS) SURROUNDING THE ODWALLA WAREHOUSE (APPLICATION # 95-0685) TO LEGAL HEIGHT. MY UNDERSTANDING IS THAT ME LEGAL HEIGHT IS SIX FEET, AS IS SIMILAR TO LAWS REGARDING FENCING BETWEEN PROPERTIES.

It appears that the trees/shrubs are now approaching 20 feet in height

I am requesting that thiii 20 year-old issue be dealt with during September 1998 for the following reasons:

1. There have been numerous complaints and requests to your department over the years to bring the trees/shrubs to legal size.
2. The owners themselves (both Bailey and Steltenpohl) have promised locals they would bring the trees/shrubs to legal size repeatedly over the years, and have done nothing.
3. In your May 1998 Planning Commission documents/reports regarding the proposed build-out of that property, you have reported that negotiations to bring the trees/shrubs to legal size were complete. Nothing has happened as yet.
4. The trees/shrubs, at supposed legal height, were permitted to afford privacy to the residents of the property, who no longer reside there.
5. Commissioners, Board members and the public should have the opportunity to see the view shed involved in your decision-making, even though it has been allowed to be lost. Let us see the viewshed under legal terms. Decisions regarding the future should not be made "in the dark," so to speak.

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• Page 2

August 31, 1998

I will assume that, if this request for due diligence is out of your realm of responsibility, you will advise me this week as to whom I should bring this issue for final resolution. I can be reached at my office (800)222-2469, Ext. #102. I check frequently for messages. I am also home Wed/Thur/Fri evenings after 7:30 at 458-1959. I would prefer to have your response in writing. My home fax # is 458-3740.

Thank you for following up to assure that planning documents ring true, and that, in good faith that has not been shown to our community, the trees/shrubs are brought to minimal legal size.

Sincerely,

Marilyn D. Fravel

CC Alvin James, Planning Director
Mardi Wormhoudt, Board of Supervisors
Denise Holbert

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ATTACHMENT 12

13 May 1998

Ms. Denise Holbert, Commissioner
County of Santa Cruz
701 ocean street
Santa Cruz, California 95060

Re: Steltenpohl / Bailey Project

Dear Ms. Holbert:

This will be the third letter I have written regarding the proposed expansion of the "Odwalla Building". In my most recent letter dated October 10, 1997, I stated, "I am not opposed to this project per se." Last fall I was a lukewarm supporter and continued to be very concerned about the size of the parking and pedestrian safety. But a great deal has changed since then and I am now alarmed by what may happen to the face of Davenport if our community is not allowed a voice in its future.

Davenport is a very small and very scenic community. It is also unique along the coast because the character of the historic town has not been spoiled by the tourist-based commercial businesses that have boutique parts of the coast from Big Sur to Mendocino. Historically, the retail businesses have been located on the east side of Route One.

Today, there are five projects planned for Davenport that threaten to change forever the historic character of the town. These are:

- The Steltenpohl / Bailey Expansion (submitted to the County)
- Dave Leurs Barn Remodel (submitted to the County)
- Licursi Project
- New US Post Office
- Coast Dairies public access Impact

If these projects were distributed evenly throughout Davenport the impact would be very different. The cumulative impact of all these projects is magnified because they all occur along the 1000' Route One frontage of a very small town.

Let me make one thing clear, I am not opposed to the commercial redevelopment of Davenport. However, each project and its impacts must be considered as part of the bigger picture which anticipates and plans for a Davenport that is different than it is today. That bigger picture now includes five significant projects.

As a member of the team that is starting to plan for the future of Coast Dairies, I am convinced that tourist traffic along the North Coast, and particularly in Davenport, is going to increase considerably.

ATTACHMENT 12

Regarding the Steltenpohl / Bailey project, I have these specific concerns:

- Placing a commercial venture of this size on the west side of Route One results in a series of impacts that will change forever the way Davenport looks and the way it functions for vehicles and pedestrians.
- The parking lot is too big to be placed in the scenic viewshed of the town and sets a precedent for continuation of parking west of Route One to the north of this project. Why place 72 cars in the one view of the ocean for which Davenport is famous?
- The safety of pedestrians crossing Route One has not been addressed in a satisfactory or responsible manner in the staff report. The importance of this single issue can not be over emphasized as the number of visitors in cars and on foot is going increase dramatically over the next ten years.

This is not an easy issue for a small community like Davenport. We see each other regularly. I hope a compromise can be reached that allows for improvement of the property without adversely impacting the town. To say that this person is for and that person is against, misses the point. The issue here is to plan responsibly for Davenport.

My recommendations are as follows:

- I recommend the community meet to with planning staff to fully understand the cumulative parking impact of all that is planned for the Route One corridor in Davenport.
- I strongly urge Greg and Fred to hold their application until those impacts are understood and planned for.
- If they feel they must move forward, then I must recommend reducing the size of the project and resulting parking by eliminating the second floor addition.

Sincerely,

John Barnes

THE REDEVELOPMENT AGENCY OF THE CITY OF SAN JOSE

FACSIMILE COVER SHEET

DATE: May 14, 1998

TO: Mardi Wormhoudt 408-454-3262

Kii Tschantz 408-454-2131

TELECOPY NUMBER: ()

FROM: John Barnes, Senior Architect
Redevelopment Agency
City of San Jose
50 W. San Fernando Street, Suite 1500
San Jose, California 95113

FAX: (408) 277-3153 PHONE (408) 2774744

TOTAL NUMBER OF PAGES INCLUDING THIS SHEET: Three

MESSAGE:

Mardi:

I am sending you a copy of this letter for your information, as this project will come before the Board of Supervisors this summer.

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May 13, 1998

County of Santa Cruz
Planning Commission
701 Ocean St. Room 400
Santa Cruz, Ca. 95060

Dear Members of the Planning Commission:

Thank you for all your concerns and attentions to the needs of the residents of Davenport. Thank you in advance that you as a commission will continue to do so.

I have a few concerns I'd like you to consider. Firstly, according to the new staff report a question is reasoning and approving a special zoning designation the precedent that the zoning commission wants to set?

Secondly ^{Item #6} it is stated by staff planner that "it is anticipated the future parking habitats will compensate for each other to such a degree that the existing parking problems in Davenport are not expected to be exacerbated by the project" however my question is - How do you anticipate that all the customers to the project will park where the project provides for? The ⁴⁷³ scope, size and variety of uses of this project will be what draws

the population. When as tourists they travel into an area they haven't been before they will ~~to~~ park at the first place that seems safe for their car. North bound traffic will turn off Hwy 1 right into the residential area of Davenport and away from the commercial. They won't be able to see the project parking lot entrance. The scope of the project is so large I believe that it will increase the problem of tourist parking throughout the residential areas. Only lessening the size of the project will help control the impact on the residential community of Davenport.

Lastly people generally run across Hwy 1 to get to either side to keep safe. 45 mile an hour speed limit that is posted, is mostly not observed by travelers driving north and south along Hwy 1. Does there need to be a speed limit study considering the traffic and pedestrian increase?

Please consider these issues. We work hard as a team to keep an amiable environment.

H74

Thank you,
Nancy Altman

May 13, 1998

County of Santa Cruz
 Planning Commission
 701 Ocean St., Room 400
 Santa Cruz, Calif. 95060

Dear Members of the Planning Commission:

Thank you all for your efforts to include and inform the residents of Davenport regarding the warehouse project on Highway 1. We have reviewed the revision of the Environmental Review Initial Study and mitigations proposed by the owners, as well as the most recent staff report. Our concerns are the same as expressed in previous letters and have yet to be addressed:

Scope of the Project:

1. Addition of square footage to existing building (+9791 sq. ft.)
2. Addition of a second floor to the building
3. Creation of a large, non-public parking lot

All of this, on the coast side of Highway, does not seem to indicate a “protective” stance in planning for the North Coast. **Major Special Use Rezoning to accommodate such a large project and multiplicity of uses for the space, especially when considered in context of the size of Davenport and its existing/planned commercial use, makes no sense. These decisions, without the benefit of an EIR, do not reflect a clear understanding regarding the impact of this size of development on the coast side of Highway 1 in Davenport.** How can you move forward with you decision-making without specific data regarding existing frontage commercial square footage and comparative analysis to this proposal? It seems that in the absence of an EIR, this information should be key in your thinking.

Traffic

Traffic testing was certainly not done during the town’s “peak times” over the last three years. While summer months are very busy, Davenport is fast becoming a year-round destination- for Gray Whale Watching (Jan. through May) and appreciation of the “new” Coast Dairies Land protected area. Visitors to our Whale Hedge Studio have more than doubled in the past year. Folks **from** around the world marvel at the **gift** of the quaint town. **Why have you not surveyed traffic during peak periods to ensure planning for optimal safety?**

The town is also a pit stop for tour buses, the number of which has also increased over the same time period. Buses free-wheel, now even parking parallel to the Highway with visitors exiting directly onto the Highway. **If buses will be allowed to park in the new “private” lot, will the lot design accommodate their turnaround?**

**Steltenpohl/Bailey Project
Fravel Family - P.2**

No mitigation has been offered by Planning staff or Cal Trans to address what all agree will be increased pedestrian crossing of Highway 1 with this project. There has been no thorough exploration of alternative street lighting, speed limits, crosswalks or innovations. If the General Plan for the North Coast identifies the need for or promotes more visitor-serving entities, you **must acknowledge the responsibility for safe pedestrian crossing for this particular project.** The increasing "near-misses" as folks cross the Highway are not reported - will we need to post crosses for **traffic** fatalities in order to have address?

Access

Historically, folks walk all over the new parking area to access the cliffs and enjoy our beautiful view of the Pacific. From a larger view, this development impedes the informal, free access to the area that has been enjoyed by locals and visitors for years. A smaller project, with a smaller parking lot and some accommodation for lost public parking, would make more sense.

Planning Process

We know you are aware of other, new development that is happening in Davenport on Highway 1, including remodeling of "the old barn" at Davenport Ave., and new building plans to replace the old Foresters' Hall, in front of the Davenport Jail Museum. The lack of address of all of these developments in a more definitive planning process for the Highway 1 frontages does not make for complimentary planning for **traffic**, parking, usage, permits/waivers, etc. In a town the size of Davenport (population 200 and lots of kids and dogs), and within such a small area for consideration, we strongly encourage a more inclusive and comprehensive approach to planning for that area. Please do not turn your heads away from information that is available to you.

As our representatives, you are all in a special position to review and approve projects and plans that reflect the Santa Cruz County long-standing commitment to preservation, stewardship, and coastal access. Davenport is a very small community. We are counting on you and the Coastal Commission to continue that commitment as decisions are made regarding this project, and to consider both the short and long-term implications of your decisions on this project.

Thanks.



Bill Fravel, Jr.



Marilyn Demos Fravel



Emery Fravel

P.O. Box 252
Davenport, CA 95017
May 13, 1998

Planning Commission
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

Re: **Bailey/Steltenpohl** application

Dear Planning Commission members:

I live in Davenport.

First, I would like to note that there was no written notice mailed for today's meeting; at the last meeting we were told that the meeting would probably be May 13, or maybe a few weeks later if the Planning Department staff were not able to answer the questions assigned to them by the Commission in time. Also, I am sorry for Mr. Bailey's tears at the last meeting, but anyone developing land on the West side of Hwy. 1 must be ready to expect a critical look at the project. The provocative atmosphere that has been engendered by the developers has been successful -- I know of several people who are afraid to criticize the project because of the way they are treated by friends of Fred and Greg.

Review of reports issued by the Planning Department has been rushed. Even though I wrote a letter to the Planning Commission in March and spoke at the March 25 meeting I received no notice that Planner Kim **Tschantz's** report to the Planning Commission on items questioned at the March 25 meeting was complete (it's dated April 28)--I found out that it had been issued by a neighbor and only this last Sunday, finally receiving a copy on Monday.

I would like to make some comments on that report and also address problems I see with the March 25 Staff Report to the Planning Commission.

1) **The need for an EIR:** According to the California Supreme Court, an EIR should be ordered "whenever substantial evidence supports a fair argument that a proposed project **may** have a significant effect on the environment. Significant effect on the environment means a substantial, or **potentially** substantial, adverse change in the environment. See Stanislaus Natural Heritage Project v. County of Stanislaus, 48 Cal. App. 4th 182 (1996). Kim Tschantz has not been able to adequately explain why an EIR was not considered necessary. The Planning Department has neither been able to avoid all adverse impacts nor have they been able to reduce adverse impacts to insignificant levels through mitigation.

As a matter of fact, the Planning Department's work has been sloppy throughout and lacks credibility because of this. To give a few examples, in the March 25 report Mr. **Tschantz** said that the parcel consists of Soquel loam, when it does not. For the variance he said the front yard setback would be limited to 25 lineal feet of the building; it is 53 lineal feet. For the seismic report he casually "rounds up" the distance of a fault line from Davenport from 2.1 miles to 3 miles. He never seems to be able to pin down the number of parking spaces, a major problem for the

community. He identifies the adjacent parcel as belonging to Lonestar, when it belongs to Southern Pacific (which sold him his parcel). It is not clear whether this sloppiness is due to staff carelessness, or a hidden agenda (since Mr. Tschantz's interests seem to be more closely identified with those of the developers than the best interests of the County).

And that is part of the purpose of an EIR--to identify for the community even hidden or currently unknown problems with a project--thus the court uses the language "may" and "potentially substantial." Mr. Tschantz asks for additional analysis that would be covered in an EIR. A partial list:

- **Current traffic study is inadequate** It was carried out on only two days in the fall **season** (Tuesday, October 1; and Saturday, September 28, 1996). For such an abbreviated survey, seasonal adjustments are likely flawed. This is crucial since Davenport traffic is so congested in the summer months. The traffic study did not address the problem of cement trucks which speed through Davenport, ignoring the 45 mph speed limit. I have called **Lonestar** many times to complain of this. The trucks know what they are doing--they blast their horns to warn people when they barrel through town. At the last meeting Mr. Frank Wylie also noted the dip in the road, which precludes pedestrians from gauging the traffic accurately when they cross Highway 1.

Further, the proposed mitigations for ingress and egress are inadequate; they will create congestion instead on the streets of Davenport itself.

What are the plans for bicycle safety?

- **Pedestrian safety is not adequately addressed.** Although Planning Commissioner Roth's suggestion for a pedestrian tunnel is a good one, it would need to be funded by Cal Trans before it could be said that the problem was mitigated (Cal Trans does not have funding at this time). Mr. Tschantz has not adequately explored the idea of a traffic light with Cal Trans (Cal Trans has not conducted a signal warrant analysis) nor has he adequately explored the idea of using "Flight Lights" to mark pedestrian crosswalks.

Because of the increased traffic hazard and pedestrian hazard created by this project, Davenport residents will be denied coastal access--it will severely limit our ability to use coastal resources since we will be impeded from crossing Highway 1. (See objective **7.7b**, Shoreline Access; the goals include serving the coastal neighborhoods, meeting public safety needs, and minimizing conflicts with adjacent land uses. This objective has not been adequately met.)

- **Current sewer and water studies are inadequate** The studies are too abbreviated. The sewer study does not explain how a sewage system which is to be repaired but not expanded will be able to adequately serve the needs of this huge project.

- **Biotic study.** What kind of plant surveys were done? For example, does the Monterey stickle flower grow on the meadow?

- **The Archaeological study is inadequate** Native American concerns were not adequately addressed. No **Ohlone** Native Americans were asked about the site. The four trails that currently traverse the site were not checked to see if they were based on traditional **Ohlone** Trails.

In short, not requiring an EIR for this project is an invitation for a lawsuit.

2) **Requested zoning changes:** The requested zoning change is not in harmony with the Davenport community. The applicants request a Special Use (SU) zoning, a type of zoning that the Planning Commission says that they are trying to delete. This type of zoning is overly broad, and allows developers a foot in the door to expand

whichever way they want. The current C-1 zoning is appropriate for our small town -- it is Neighborhood Commercial and requires that a development truly serves the neighborhood. This project is dangerous in that it does not serve the neighborhood at all--the suggestion that neighborhood groups (only four! selected by whom?) be allowed free meeting use of the conference space has been shot down by County Counsel as illegal. The developers admit that their primary goal is to act as a conference center (a la **Esalen?**), which will draw in a new type of clientele--business and corporate groups. This is contrary to the General Plan, which asks that a development serve a rural community center. This project draws from outside the normal tourist flow; it is the visitor **already** driving on Highway 1 that the General Plan refers to when speaking of servicing visitors. Corporate customers were not foreseen by the General Plan--the General Plan does not say that developers should encourage new sources of traffic. Also, the project does not emphasize the whaling story or whaling history (see **13.20.143(c)**).

3) **Requested variance:** This request is irresponsible. Because of the increased traffic and pedestrian hazard the setback is necessary for safety reasons. Mr. Tschantz says that the project would have to extend out in the direction of the parking lot, thus making that larger, if the variance is not granted. The answer is to scale back the project to a size more compatible to the size of Davenport.

4) **Visual effects:** The visual analysis does not take into account the view from Highway 1. This is necessary because this is how visitor **traffic** on Highway 1 sees the ocean view and this is how the residents of Davenport see the view as we walk through **town**. The parking lot destroys the town's viewshed. (The photos taken of the proposed parking lot are manipulative; they are taken at a wide angle to minimize visual impact.) There are more creative solutions than a parking lot marring our town's viewshed--if the developers are planning to lower the lot a couple of feet, why not create underground parking, so the meadow and bluff will remain intact?

5) **Surfacing of the proposed parking lot** The stamped concrete looks better than asphalt, but still creates an ugly gash across the bluff.

6) **Parking situation:** Mr. Tschantz's suggestions are inadequate. Shifting the public parking to adjoining bluff top parcel is not a solution--Mr. Tschantz makes several references to the development of this parcel (this project sets a precedent for that). What will happen then? And do we want more people parking on the inland side of Highway 1? What about the traditional use of this lot? Motorists can't park in the project parking lot unless they make use of the facilities since it is private. Suggesting that busses use the lot is insulting--they would block the view even more! What does Mr. Tschantz mean when he refers to "future parking habitats"? Where will these "habitats" be? It is not in the best interests of Davenport to become a giant parking lot. A further note: if the North Coast Beaches Master Plan deleted a recommendation for a parking lot on this site in 1991, why put one there now?

7) **Height of hedge** The developers have shown **disrespect** toward Davenport residents over the years by not responding to repeated requests to keep the hedge at the original 6' fence level. Who will enforce any new restriction to which they agree?

There was no consensus in the town regarding a 9' to 11' hedge height. Steve Hicks did not call a meeting of the North Coast Improvement Association. There was no open discussion of this. All the residents of Davenport Avenue (those most affected by the hedge) were not contacted. There is no consensus that the hedge be

allowed to grow no higher than the height of the new building. For Planning to say that Hicks' casual questioning of a few neighbors is the "majority consensus of the community" is sloppy work.

8) **Seismicity concerns:** I leave these to the expertise of Professor Karen McNally. (But note "rounding up" from 2.1 miles "west of the project site" to 3 miles. This is a critical difference, and reflects the casual work of Mr. Tschantz.

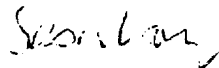
9) **Comparison of commercial uses in Davenport:** Mr. Tschantz's excuse is disingenous.. The figures are publicly available. Mr. Tschantz could have paced off these public buildings. The approximate square footage of the Whale City Bakery, Cash Store, **Arros/gallery/restaurant** by the post office is 14,400 square feet, compared to 22,000 square feet for the proposed project (almost double the size).

10) **Additional Permit Conditions:** Mr. Tschantz asks that phases 1 and 2 be constructed simultaneously. This request is made clearly to avoid evaluation of the project after the first phase.

In conclusion, it is not necessary to change the nature of our town from neighborhood commercial. The project should be cut in size, from two-story to **one-story**, delete the greenhouse and two-story boathouse. The use of the project should be geared to serve the community and those visitors who drive down **Highway 1** anyone. It should not focus on bringing in a business/corporate/elite clientele, which would produce more traffic and pedestrian hazards. If the project size were smaller, the parking lot would be less than half of what it is projected to be now.

I ask the Planning Commission to consider the size of our town, and to reduce the project size to fit the nature of our community.

Sincerely,



Susan Young

STATEMENT TO PLANNING COMMISSION 13/5/98

I am a resident of Davenport.-

I attended the meeting of the Planning Commission on March 25, at which the proposed developed on the former Odwalla property was discussed. This statement is further to that meeting and the expanded/conditioned staff report. This second report expands the first considerably -- but mainly in wordiness and circularity of reasoning. It addresses several problems raised at the first meeting, but does not satisfy most of them. Having no opportunity in either time or space to do so, I request that anyone who has to make any decision based upon it examine it as critically as possible.

Very briefly, I note that: (1) Conditions for hours of operation of whatever commercial activity is conducted at the site have helpfully if belatedly been proposed, but that this is only partially reassuring in view of the remarkably vague plans for use. (2) The desirability of an EIR has been dismissed in an entirely formulaic manner. Both the developers and the Planning Department seem to be afraid of such a study. Why else should they not wish to allay the concerns of residents about a site, which, it cannot be reasonably denied, is environmentally very sensitive? Until an EIR is conducted no one can even be clear about what the impact would be. (3) Traffic hazards and pedestrian safety (including the requested variance of set-back for what was originally an illegal encroachment), which should be major concerns for all who live here, are essentially dismissed as something that CALTRANS has little interest in. Where are specific replies from CALTRANS to specific questions from the Planning Dept.? The problem of a parking burden shifted from the current area to the streets inside the town is partially dismissed as irrelevant because "projects cannot be conditioned to mitigate existing problems that occur regardless of a new project being implemented" (p. 7). But these problems would not **"occur regardless."** The town is not complaining about the existing parking problems, it is concerned about how these will be **increased by this proposal.** The problem is also (and inconsistently) dismissed because the recommendation for "construction of a public parking lot on the **Lonestar** (sic) parcel ... was ... deleted when the North Coast Beaches Master Plan was **adopted in 1991**" (p. 8). **Why** was it deleted? What implication does that have for the present plans? Why does the Report not clarify this? (4) Apart from the change in color for the lot surface, the effect of an 81 vehicle parking lot on the town's 'viewshed is still entirely ignored. Estimations are made about effects from windows of individual homes; but coastal zone policies are more specifically concerned with views from Hwy One, and the major impact here is still **unaddressed.** It is now stated that tour coaches may park on the project's **lot.** This means **that** the present meadow view will give way not only to cars but to coaches. This is a "mitigation"? A "revised visual simulation"

"has been prepared to show **how** the parking lot would appear with vehicles occupying 75% of **the parking spaces**" (p. 7). The readers of the report are provided with a greatly enlarged version of the original simulation with about 7 cars. Why? Will the revised simulation be finally revealed on the far side of the room from a sedentary committee? (5) The fact that new seismological data about the off-shore fault and new seismic building standards are being introduced is dismissed because they may not be enforced soon enough. Is this a Planning Department more concerned for public safety or for a developer's profits? (6) The fact that current zoning does not permit overnight accommodation is still treated as a reason to change the zoning and not the project. What are the standards of this Planning Department? (7) A formal paragraph is given to what is described as a **"consensus"** on the hedge height achieved by Mr. Steve Hicks (p.9). I have a great deal of respect for Mr. Hicks, but this is not a consensus. Most residents of Davenport were not asked, let alone informed about this notion. No meeting to present any mode of representation was called. Mr. Hicks does not have my consent, explicit or implied, to represent me on these issues. The Planning Department is irresponsible in its use of the term "consensus." There is no reason why the hedge should not be held to code and, indeed, the sudden eruption in the report of apparent act of community consensus on an issue such as the hedge is a red-herring. (8) A paragraph on p.12 states that the staff considered public community use of the building and then simply speaks for the developers that this might be acceptable **"as long as four specific organizations are named as the only public groups."** What are these groups? By what process have they been elected? The Report then continues that "such a requirement needs to be limited so as to not jeopardize the **commerciaol** viability." I presume that this means "anyway, no public use if it cuts into profits" -- in which case why not say so? (9) The hard-core issues of future access to the beach and cliffs are still not dealt with. At the first meeting it was stated that access to the parking lot would be constructed so as to mesh with development of the land adjoining to the north. The Report refers to this as the **"Lonestar** lot." To the best of my belief this is actually owned by Southern Pacific. If this is the case, then it is one more example of carelessness on the part of the Department -- especially since this would be the same owner from whom the Odwalla property was originally purchased and this would make additional purchase and therefore additional development even further past the town's frontage far more likely.

I quote a representative conclusion from **tne report**: "It is anticipated that future parking habitats will compensate for each other to such a degree that the existing parking problems in Davenport are not expected to be exacerbated by the project." Are we expected to assume that this means something? This nominal conclusion is typical of the extraordinary lack of logic and the emptiness of statement that characterize this report.

I wish to complain about the process so far and to do so specifically -- not to be insulting but because it is responsible to be specific if one is going to complain. I do not address myself to individuals, but to civil servants in their official capacities. I request that any subsequent review of this process **takes** its competence, or lack of **same**, into consideration. I came to the last meeting supporting this project in an appropriately mitigated form. I left the meeting opposed to it. This was because of, first, the sloppiness and disregard of public interest on the part of representatives of the Department; second, the manner in which two members of the Commission treated the public with condescension and even contempt; and third, the manipulation of issues by the developers. If this application is approved, only one thing will be certain: namely, that a large commercial enterprise will occupy the **viewshed** of Davenport. There will be absolutely no commitment whatsoever to the ownership, to the nature of the enterprise, or to any limits on future development. In these circumstances, the lack of quality control in the application process makes the project altogether too much **of a** risk.

First: Not only had the original Staff Report been sloppily prepared, the presentation at the meeting was even more so. A large number of letters were blithely characterized as "for" or "**against.**" My own letter had supported the project in a restricted form -- was this listed as "**for**" or "against?" **Many** speakers at the meeting **spoke** in either fulsome praise of the **developers' characters** or in outrage at the temerity of critics. Were these letters counted as "for" the project **per se**? Other examples: the set-back variance was casually doubled to 53 feet; the desirable height of the hedge was casually more than tripled to the height of the **building, ~~the~~** according to a purported conversation with the developer that was soon enough contradicted. Repeated queries from a member of the Commission to Mr. Tschantz as to whether there was any way in which what **some** deemed an excessive extension of the building and quantity of parking could in any way be mitigated, entirely failed to evoke from Mr. Tschantz even the glimmer of a suggestion that this could be achieved **by** a reduction in the commercial scope of the project. I believe that Planning Departments should be co-operative with applicants. I do not believe that they should act as naive apologists for them.

Second: I believe the chairing of the Commission was entirely below acceptable standards and that this is directly relevant to how this process should be reviewed. When a member of the public had to be called to order, the chair was silent. The chair made a statement to the effect that the Commission had no responsibility to protect the coast line. This is simply **not** true. Almost the only comment on the quality of the proposal made by the chair was that he looked forward to eating at the restaurant. Is this the standard of consideration expected? At the beginning of the meeting the chair specifically tried to discourage the public from reading prepared statements because "**the** Commission would read

them anyway." Despite contrary reassurance reassurance from another member of the Commission, many speakers therefore abandoned or abbreviated their statements. Later in the meeting, the chair then declared that he wished to vote in approval of the project right there and then; thereby both contradicting his own earlier assurance and also threatening to deprive the more careful members of the public from their rightful input. Even though another member of the Commission stated clearly that the report was too large and had been received too recently for it to have been properly studied, the chair was immediately supported, in his urge for an instant ~~Vote~~ of approval, by Commission member Renee Shepherd. She, likewise, would thus have been relieved of the duty of reading the letters. During the meeting, Commissioner Shepherd demonstrated no knowledge of the report's contents during the meeting, asked no careful questions about them and made no constructive comments on it, other than her wish to vote immediately. My complaint is not merely about the lack of interest shown, it is about the expressed urge to vote approval consequent on displaying such a lack. The discussion was continued after many careful comments by the other three members of the Commission. The chair, however, stated his approval of the continuance not in terms of more careful consideration but because he was afraid the application would be denied if they voted at that moment. "Discretion is the better part of valor," was his phrase.

Third: I assume that the views of the public are treated as significant, and therefore that the way these views are formed is important. Histrionic dismissals and denigration of the propriety of comments deemed hostile to the developers were made by some members of the public. They were apparently unaware of the belief that there is no taxation without representation. Neither the chair of the Commission nor the developers made any efforts to reassert the reasonableness of the debate. Most troublingly, an assertion that critics of the plan were merely in the pocket of the Davenport Cash Store went entirely unmitigated by either of the developers. Indeed, it has become apparent that this assertion has been encouraged by them. It is entirely unsupported by any facts or relevant enquiry. Davenport is not a town split by dissenters, as was maintained by many supporters concentrating on Mr. Bailey and Mr. Steltenpohl rather than on the project per se. It is a town of adults who have reasonable disagreements. Mr. Steltenpohl, at the last meeting, claimed for himself and Mr. Bailey the **status** of unusually enlightened environmentalists. Probably everybody at the meeting thought the same of themselves. **More** to the point is that apparently no environmental organization has spoken in favor of this project and **that the** developers apparently have no wish for an EIR. It was stated that the project would allow members of the public to share the pleasures of the Odwalla view. If that were a main aim, it could be achieved very cheaply by simply leaving everything as it is. The project is commercial, its purpose, plainly and honestly put, is to make money for whoever owns or sells it. All the obscurantist rhetoric of community spirit and benefit are completely irrelevant and, indeed, are entirely contradicted by the relatively huge size of

the project, the demand for special treatment, the detailed language of both proposal and report, and the woefully vague plans for use. Everything about the proposal suggests that it will be sold as soon as it is finished and that it is therefore to the developers' benefit to have it finished as soon as possible. It should be judged exactly for what it is, an overblown commercial enterprise that developers who **do not** live in Davenport wish to plonk down right across the town's viewshed. If development is appropriate for this site, it should be approved -- but only if properly designed, sized and utilized. I personally now believe it is not appropriate.

Finally, I wish to comment on the tears shed by Mr. Bailey at the end of the last meeting, since they thereby became part of the public record. If Mr. Bailey feels sad, then I sympathize. But his tears are entirely irrelevant this process. If any development goes forward, it should be only after long and careful study. Pressure to speed up the process benefits only commercial profit, not the community. I would like to point out the public fact that Mr. Bailey purchased this land for **\$130,683.82**; pays taxes on an assessed value of \$166,996 (including improvements of **\$21,340**), and has been partner in an extremely successful business on the property for many years. The friendships that may exist between some residents of Davenport and Mr. Bailey and Mr. Steltenpohl are entirely a private matter and are none of my concern. What is my concern, as a resident of Davenport, is the necessity of resisting any notion that the residents of this town have any sort of debt whatsoever that should be paid as future private profit on a piece of the town that has already brought -- and properly brought -- considerable profit to its owners.

John Hay
P.O. Box 252
Davenport

John Hay

May13, 1998

Members of the Planning Commission
County of Santa Cruz

Dear Sirs,

I spent several hours of my time at the March 25th meeting and spoke to you **from** the podium. After reviewing your April 28th document concerning application 95-0685 (Bailey /**Steltenpohl**) I am concerned that my remarks were not heard or were misinterpreted, so I will only write to you today.

In regard to asking for an EIR your project planner Kim **Tschantz** stated that there would need to be a “substantial and significant impact” anticipated for there to be a need for an **EIR**. The potential for extreme and dangerous traffic situations certainly does and will to a greater extent exist if this project goes ahead. His statement that up to 35 cars per hour would turn into this facility means that you would have a total of 70 cars per hour coming and going, or more than one per minute. This plus his statement that it would be a logical and rational conclusion that a high proportion of these people would walk across the highway to use the other business facilities indicates to the most marginal **intelligence** that there will be an extreme impact on the current traffic patterns not to mention a “substantial and significant impact”. This situation screams for an **EIR** relative to traffic.

You also have a building too close to the road with high speed traffic very near. There is to my reasoning an obligation for the planning commission to safeguard the public, not the interests of the applicant. I believe that the county could become culpable in the injury of innocent people if the county had been asked to consider certain concerns and they were negligent in that regard. I would not be surprised if the county was sued as a result of accidents due to poor planning of the intersection. Please do not put me as a taxpayer at risk of this sort of law suit.

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I also requested a crosswalk and I see no mention of this in your report only a statement concerning a traffic light or a tunnel. There exists a clear need to do a in depth study in regard to the safety issue here. A conversation with Cal Trans does not constitute reasonable verification of the statements made. As a 29 year resident of Davenport I demand more consideration for this huge safety issue. I believe the concerns I have voiced previoully have been glossed over and not been given adequate consideration.

Thank you for your consideration. Sincerely,



L o u i s B o c k
195 Marine View
Daqvenport, CA

Att: Santa Cruz Planning Commission

Dear Commissioners,

I regret that I cannot be here today. I have a commitment that was made months prior to the scheduling of the additional hearing on the Bailey/Steltenpohl/Odwalla proposal. I am on a Environmental Living Program field trip with the students of Pacific Elementary School to Yosemite Valley. Again, I really, really wanted to be here.,

I want to add a few comments that I have not previously made.

Number one: There is no way you should grant approval of the project without an Environmental Impact Report. When you are dealing with the dramatic impact of traffic, water and sewer, coastal view shed, and public beach access, on a town and community the size of Davenport, there is practically nothing left that would indicate that an EIR is unnecessary. I mean really, what more do you want. It is your duty and obligation to require one for a piece of property so important to the community.

Number two: You should never change the zoning to SU. This change is totally inappropriate for this area and this piece of property.

Number three: All public parking will be eliminated. The parking that occurs on the site will be for the private parking of the development. It will only make the parking situation in Davenport worse, not better.

Number four: The traffic coming out of the lower parking lot, and wanting to travel North, cannot turn left. They will have to completely cross the highway and therefore it will increase the traffic traveling up Davenport Ave., and all the way around the block in order for them to turn right going north. Do you realize the incredible increase in traffic going right by the Pacific Elementary School? That would put the students in greater jeopardy.

Number five: The project should be put in model form, on actual topographical scale, using the very large physical landmarks close to it, to show the true scale of the project in relationship to the town, and the surrounding area. The fantatasical computer enhanced photograph does an injustice as to how the project is actually going to scale to the surrounding environment.

In closing I just want to add, that in observing the conduct of the chief planner in charge, there seems to be the appearance of bias for this project. I have never seen any planner do all they can to facilitate the applicant. If only all applicants got such attention. He

488

appears to almost be a promoter of this project. Personally I find it outrageous.

I sincerely hope you read A L L the letters. I sincerely hope you addressed A L L the issues. Most of all, I hope you make the right decision. The denial of the project in it's current form.

Thank you,
Kristen J. Raugust



PO Box J
Davenport CA 95017
May 11, 1998

Planning Commission
County of Santa Cruz
701 Ocean Street
Santa Cruz CA 95060

Subj: **Steltenpohl/Bailey** Project

Members of the Commission:

I wish to comment on several aspects of this proposal which need to be considered before final decisions are made. First, I believe the project is out of scale and context for a tiny coastal community. You asked to know the square footage of the other commercial buildings along Highway 1, and they're not in the staff report, but I'll tell you. The Cash Store on two stories is 8200 sq ft. Whale City Bakery is 2500 sq ft. The store, gallery and restaurant up by the post office together are just over 3700 sq ft. not including the post office. This comes to a total of approximately 14,400 sq ft., which is barely more than the warehouse as it stands. The proposal at 22,000 sq ft. **is almost** twice the total of all the other businesses put together.

The SU District zoning is a dangerous precedent, and should be avoided. The pressure to grant this change seems based on the faulty premise that the applicant must be **accomodated**; but the option remains to change the project and not the zoning. If the Supervisors can change the zoning, can they grant a variance to allow visitor **accomodations** in the existing zoning?

The southern hedge was required by the county specifically to mitigate the visual impact of a six foot cyclone fence, not to create a monstrous visual barrier. It should be contained at six feet and no higher, which will provide protection in and out without cutting off the view of the ocean that everyone used to enjoy. The "survey" that proves the applicant's 9 to 11 foot proposal is favored by the community is a joke at best. And monitoring by citizen complaint has been proven unworkable.

Moving the entrance to the southern parking lot raises some questions, such as where will the proposed greenhouse go? And if the **CalTrans** guidelines are followed, there is a 75. foot penetration required from the edge of the pavement, which may cause problems.

490

(Traffic Analysis, exhibit 10). Not least, if left turns are not permitted either in or out, there will be an incredible impact on the traffic through town, and past the school.

I have already expressed my feelings about the loss of the historic meadow viewshed. What has not been addressed is parking for the public, which has always been on this property. Under Davenport Special Community Design Criteria (13.20.143 (c): "Development along Davenport's Highway 1 frontage shall conform to the following objectives: ...2.(iii) Adequate parking off Highway 1, for existing and new uses, and for visitors." The adjoining property (owned by the railroad, not Lone Star), cannot be depended on to provide public parking, because even staff refers to the future development of this area.

I hope that you will be able to reduce the scope of this proposal to a more appropriate scale that will be satisfactory to both the applicants and the community.

Sincerely,



Bruce A. McDougal

Fax to : Kim Tochantz
408-454-2131

From : Robert Adams
408-479-4248

ATTACHMENT 12

Date : 3-24-98

Re : Proposed development at 3500 Coast Hwy One-Davenport, CA

To whom it may concern,

As a long-time friend and employee of Greg Steltenpohl for over 8 years, I've experienced his commitment to both community and sustainable development. I understand that Greg now has a proposal to sensitively and sensibly develop the old brasserie front parking home located at 3500 Coast Hwy One in Davenport.

I support the development for 2 reasons:

1. Sensitive development of the property will ensure that the history, beauty and culture of the area will be maintained for generations to come. Greg has demonstrated through many projects that he is sensitive and caring about local communities, the environment, and the impact of development.

2. Sensible development will attract appreciative and desirable clientele - persons willing to pay for quality that will enhance the economy and reputation of Davenport.

Please let the development proceed with healthy support.

Sincerely,

Robert Adams
3367 Comission Lane
Soquel, Ca. 95073

492

To: Kim Tschantz

Mar 16-98

Having known Fred Bailey -
 and seeing his work over the past
 25 years both here and in Hawaii
 I would recommend his work
 as the best craftsmanship. Fred
 is not only technically skilled, he is an
 artist, environmentally conscious and
 has a strong sense of California coastal
 history. He, and his family, are a credit
 to the community and his work is
 excellent. I would give full support
 to the county in supporting Fred Bailey's
 Davenport project.

Sincerely,
 G. Erickson

ATTACHMENT 12

Steve DellaMora
Steve DellaMora Farms
574 **Westdale** Driie
Santa **Cruz**, CA 95060
(408) 425-8737 home
(408) **425-0385** Ranch

March 19, 1998

Attn: Kim Tschantz, City Sr. Planner
County of Santa **Cruz**
701 Ocean Street
Santa **Cruz**. CA 95060

Reference:: Davenport Commercial Project

Dear Kim:

I have just learned of an upcoming meeting regarding this project. It is scheduled for March **25th** at **1:30pm**. I am a Fanner and cannot attend however I would like to share my opinion with you.

I am a **3rd** generation family in Santa **Cruz**. I have farmed **brussel** sprouts for **30+** years as did my father, and grandfather before me. I currently farm approximately 2-3 miles south of Davenport and in the 70's and 80's I farmed an area on **Swanton** Road. I have lived in the North coast for 30 years and have seen a lot of changes in Davenport. It seems that other business establishments have been allowed to change and grow. I don't understand why anyone would want to deter this project from getting off the ground. If managed well and with all people concerned working together, I believe this proposed development will contribute tremendously to our town.

I believe the general consensus of the farmers up and down the north coast is 'Go for it'. If the county can allow a goat farm in a so called agriculturally zoned area. Why can't the county approve a business that is trying to restore and preserve history and build an establishment that will make Davenport a nicer place to visit, shop and eat.

Respectfully,


Steve DellaMora
Steve DellaMora Farms

494

Jim Tschantz
Planning Department, Santa Cruz County
701 Ocean St.
Santa Cruz, CA 95060

re: Application 95-0685
A.P.N.#058-121-04

Dear Mr. Tschantz,

Having visited Davenport and the scenic north Santa Cruz County coast since the early 1950's I was concerned to hear of the proposed project in Davenport.

After reading the Environmental Review my questions and all of the questions raised in the included letters have been addressed to my satisfaction.

I now support and encourage the project. I feel that the site **itself** as well as the tax revenue and jobs **will** create the coveted win-win **scenerio** for the county and Davenport.

Sincerely,



Lee Rhoades

495

ATTACHMENT 12

March 18, 1998

Dear County of Santa Cruz Planning Dept Members,

I am writing this letter as a local business owner and former resident of Davenport to encourage you to approve the project brought before you by Fred Bailey and Greg Steltenpohl. I believe this project would enhance the community of Davenport and be a viable solution as to the use of this building.

Cordially,

Cindy Godron Geise

Cindy Godron Geise

494

133 Marine View
P.O. Box K
Davenport, CA 95017

Phone (408) 425-8577
FAX (408) 425-0906

DAVENPORT MILL
custom wood sash, doors, and architectural millwork

ATTACHMENT 12

Santa Cruz County Planning Department
701 Ocean Street
Santa Cruz, CA 95060

Attention: Kim Tschantz

RE: Bailey-Odwalla/Davenport Commercial Project

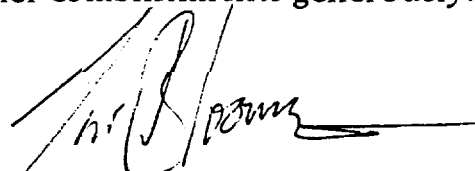
To Whom It May Concern;

Please be advised that the undersigned, all of whom either live, work and/or own businesses in the town of Davenport are in support of the improvements proposed by Fred Bailey, et. al. Fred has had a good track record as a Davenport resident and property owner for the last 30 years. The development plans for the restaurant and retail space project reflect the respect and concern that Fred Bailey has shown for the town of Davenport. It is crucial that these projects do not compromise the charm of the town.

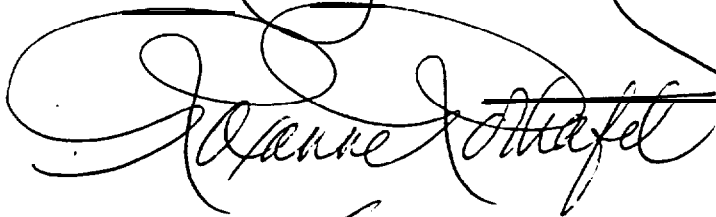
It is beneficial to keep all developments of this sort within the town limits. There is *room* for this project in Davenport. As for the future, it appears that both local traffic and the tourist flow will support this as well as the other establishments generously.

Sincerely,



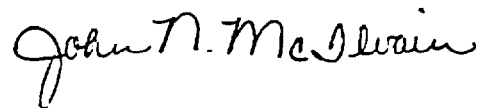












JEFF PERK

KARL & LINDA STOVER
P.O. Box 31
Davenport CA 95017

October 23, 1997

Mr. Fred Bailey
c/o Odwalla
Davenport CA 95017

Dear Mr. Bailey:

I appreciate your taking time to show me your project plans and explain all the particulars. You addressed all of my concerns, and I feel what you have planned is reasonable and that you have made efforts to work with and consider the effect on Davenport's community.

The computer-enhanced photos and blueprints clearly show that the increased square footage of the building does not affect the original footprint, the does not increase the overall height very much, does not require extensive cliff excavation, adversely affects very little of existing ocean views. It does not appear that the "conference" room, six lodging rooms, and restaurant will affect existing traffic or parking to any extent.

Again, thanks a lot for talking to me about this.



cc: Davenport Alert

498

Anne Freeman

P. O. Box 60
Davenport, CA 95017
(408) 427-0288
(408) 454-0941 fax

March 18, 1998

Attn: Kim Tschantz, City Sr. Planner
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

FAX 454-2131

REF: Davenport Commercial Project & next meeting 3/25/98 @ 1:35pm

Dear Kim:

There are many reasons why I support the above referenced project and I would like to share a few of them with you for the record.

I have been a resident of Santa Cruz County for twenty years and a resident of the north coast for eight years. I am very excited about the potential new commercial building and feel it would be only a great asset to the people of the Davenport area. My positive feelings regarding this development are because of the following reasons:

- 1) The developer has very carefully designed this project to keep the buildings below the tree line and not deter from the view from across the street.
- 2) This improvement transforms an old packing shed and brings it up to code both physically and aesthetically.
- 3) This will provide another viable business(s) for our community.
- 4) This proposed development will materially aid our tourists contact.
- 5) Davenport is an easy drive north for Santa Cruz people to come dine and shop.
- 6) There is constant bus traffic from north and south past our community and such a development will be a convenience to travelers and beneficial to our town.
- 7) The present businesses located in Davenport have been successful and productive. This development should pose no threat to existing businesses but should rather be regarded as a positive and desirable addition to our community.

I thank you for your time and consideration in concluding the final decisions on this project so it can proceed in a timely manner.

Sincerely,



-Anne Freeman

499

Kim Tschantz

ATTACHMENT 12

Re: The Davenport Packing Shed.

As a long time resident, and Property Owner, in Davenport, I thought that I needed to supply some input, about the remodel on the property owned by Fred and Bren Bailey.

In the past, Mr. Bailey has kept the best interests of all residents in mind, when presenting plans for the use of the property to the community. Because the town has blossomed. (Our schools are now very good.)

I think instead of opposing him at every turn, we should join him in his business endeavors.

I'm afraid when, any of us are opposed enough - we sell out and move on. Please don't let this happen

Barbara Seifert

500

Donald J. Canaparo

Post Office Box 382

Aptos, California 95001-0382

U.S.A.

Tel 408.438.4471

Fax 408.439.8878

March 16th, 1998

Mr. Kim Tschantz

Santa Cruz County Planning Comm.

701 Ocean St.

Santa Cruz, Ca. 95060

ATTACHMENT 1 2

Dear Mr. Tschantz,

I am a resident of Santa Cruz County. I have lived in the county since 1965 and have **been a** homeowner since 1974. I am attached to Santa Cruz **County's development**, with concern for its residents, their environment, and its aesthetics. I frequently visit Davenport, and over the years have had relationships with residents of the area. I would like to draw focus here to the proposed project of Mr. Fred Ealey. I am familiar with it, the pros and cons, along with people from both camps. I have long assumed, as I still do, that the issues here are simply about **market** share, and the stresses and concerns that typically accompany them. However, I have recently been made aware of the current question being touted as to Mr. Bailey and his project respective of Davenport's residents and the environment. With this in mind I am motivated to write you.

I have known Mr. Bailey since 1980. I contracted him for development of my own property by recommendation of associates. I worked closely with Mr. Bailey over a period of two years, during which time I **became** familiar with Mr. Bailey, his family, and their values. I myself have had differences with Mr. Bailey. He is a highly spirited man. In the end, it is that same spirit which I grew to respect. He takes his values and his word seriously. Through my own project with him, and projects of other principals in this area, as well as in Hawaii, I can testify to the following. Mr. Bailey has a deep personal fondness of Davenport. He has demonstrated a sincere commitment to environmental concern. His skill and insistence on high aesthetics is beyond reproach. A simple review of his projects will give physical testament to the same. Mr. Bailey has always expressed and demonstrated a concern for the people and land impacted by his projects. I can only imagine that Mr. Bailey's mastery of landscaping would be a welcomed input to the area.

501

Donald J. Canaparo

ATTACHMENT 12

Post Office Box 382

San Jose, California 95001-0382

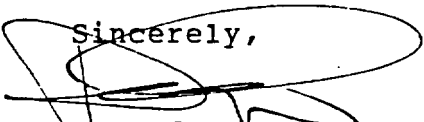
U.S.A.

Tel 408.438.4471

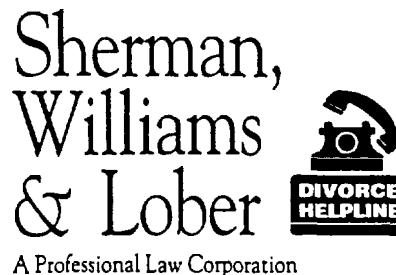
Fax 408.439.8878

As for the real issues at hand, Davenport's market can be expanded to allow greater support for both established and new elements. The quality development of this area should be thoroughly investigated by those who have questions. I believe such an investigation would expose that assumptions have **been** made that are inconsistent with the facts. Careful development of the Davenport area would result in an enhanced asset for both North County residents, and visitors as well. Insight, faith, and renewed spirit can transform Davenport's collective attitude with benefit for all. I believe Mr. Bailey will handle this project with the integrity that Davenport deserves, and it should be remembered that the city of Davenport has the power to prescribe him to do so. I write this in hopes that all the residents of the North Coast can be winners here, and find a peaceful resolution for current conflict. I thank you for your attention to this letter.

Sincerely,


Donald J. Canaparo

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March 16, 1998

Santa Cruz County Planning Commission
701 Ocean Street
Santa Cruz, CA 95060
Attention: Kim Tschantz

Charles Ed Sherman

Peggy Williams

Anne Lober
Certified Family Law Specialist

Charma Pipersky

William J. Helm

Susan Cameron

Joseph E. Silva

Re: Davenport Commercial

Dear Mr. Tschantz:

I am writing in support of Fred and Bren Bailey's application for development of the above-referenced project in Davenport. I have personally known Fred since 1959 and Bren since 1963, and over the years I have seen both the high quality and artistry of Fred's award-winning construction projects throughout Santa Cruz County. Moreover, Fred's consideration of the immediate environment and of the surrounding community has always been a part of his work. The proposed Davenport plan is no exception.

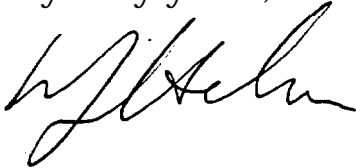
In the recent past, I had the benefit of residing for two years on the site of the subject land, caretaking the real property in the Baileys' absence. I have seen the property in its original state as well as the spectacular improvement that has been made by them over the many years they have been there. What was once a rural packing shed has been transformed into a beautiful landscape and highly desirable office complex, resulting in an aesthetic and economic benefit for the people of Davenport. I have personally spoken to many residents in Davenport who have enjoyed Fred and Bren's loyal involvement in that community, as well as the many local

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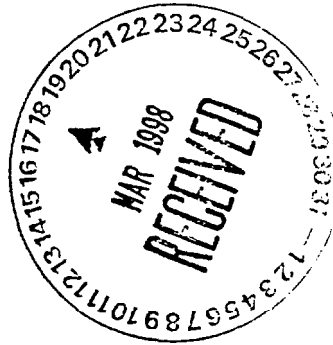
workers who have found employment with them and with their tenant, Odwalla Juice Company.

The proposal now before the Planning Commission is a sound one that is proposed by two innovative and community-conscious people with an impressive track record. With this plan, what the private sector has been able to enjoy in the past can now be enjoyed by the public in general. Accordingly, I believe that the project will serve to benefit both Davenport and Santa Cruz County and I urge that the Planning Commission endorse it in its entirety.

Very truly yours,



William J. Helm



March 16, 1998

County of Santa Cruz
Planning Department
701 Ocean Street.
Santa Cruz, Ca 96060
Attention: Kim Tschantz

Dear Kim,

I must express my support for the Fred **Bailey/Odwalla** project proposed for the town of Davenport. I have reviewed the plans & drawings and feel the impact to the view and surroundings to be minimal. The project will help make the town of Davenport a more vital spot to visit for everyone.

I hope that the project will be permitted to be built. It will give us one more option of enjoying our stay in Davenport.

Sincerely,

Margaret Hutchinson
110 Fairmount Ave.
Santa Cruz, CA 95062

505

March 17, 1998

Santa Cruz County Planning Commission
701 Ocean Street
Santa Cruz, CA 95060

Dear Planning Commission,

On March 25, 1998 Fred Bailey will be presenting, for approval, his plan for the Producers Building in Davenport. His plan to create a conference center in Davenport is a good one. He and his family have occupied and or owned the Producers Building for over twenty years, and during that time they have worked to improve the building and surrounding property, turning it into the attractive place it is today.

As local industry moves from our area (Wrigley's and Lipton Companies come to mind) it is important for new business ideas to be incorporated into Santa Cruz County's plan. Mr. Bailey's plan for the Producers Building will serve as a Northern anchor point to attract a variety of groups, from business, to education, to government, to our area. The scale of the conference center plan is of a size that will compliment and support the businesses currently under operation in Davenport, as well as providing employment opportunities to local residents.

Mr. Bailey and his family have always been active and positive members of the Davenport and Santa Cruz communities. I have watched firsthand for the past twenty years how their hard work and foresight have improved the Producers Building and surrounding community. The Bailey's have always operated with the community at heart, and the plan for the Producers Building shows evidence of Fred's thoughtful and tasteful ideas. I wholeheartedly recommend approval of this project.

Sincerely,



Morgan M. Kost
115 Azure Lane
Watsonville, CA 95076

506

NORTH COUNTY

RECOVERY & TOWING INC.

dba AUTO SPORT

138 Fern Street . Santa Cruz, CA 95060

(408) 458-3138

ATTACHMENT 12

March 24, 1998

Re: **Odwalla Building Project**

To Whom **It May** Concern:

My wife, Karen, **and** I both believe that Fred Bailey's project at the Odwalla Building in Davenport is **an** excellent idea We feel is would be an improvement to the **community** and **endorse** the **project completely**. Should you **have** further questions **you** may contact **us at our** office **at 408-458-3138**.

Sincerely,

William **Scribner**, Resident
North County Towing Inc.



507

24 HOUR SERVICE • RADIO DISPATCHED

Tamara Zottola
4125 Gladys Ave
Santa Cruz, Ca 95062

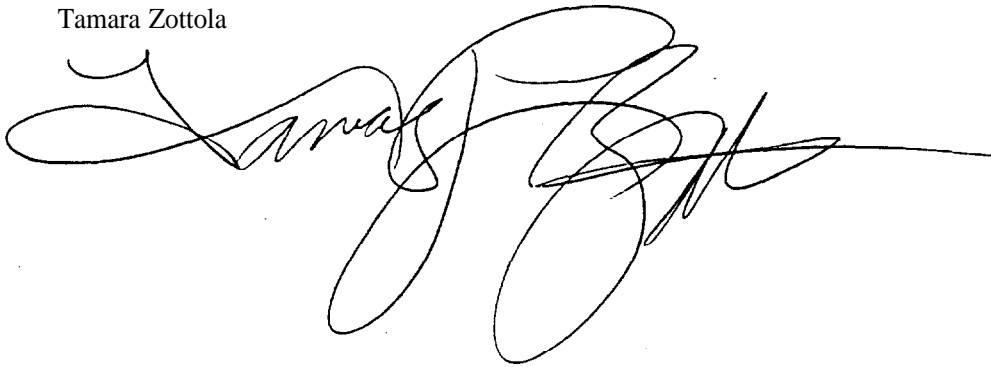
March 16, 1998

Davenport Community

To whom it may concern;

My name **is** Tamara Zottola. **I** am writing this letter on behalf of the Bailey family. I had the good fortune of meeting this family eight years ago. **In** that time I've witnessed their love for family, **friends**, and a helping hand for those in need. They are a family with high morals and deep commitment. Through the years **the** Bailey family has always been trustworthy and honorable. Your **community can** only benefit **from** their involvement and commitment in this project. I am very proud to be associated with Fred, **Bren**, Zac, and Luke Bailey.

Sincerely,
Tamara Zottola

A large, stylized handwritten signature in black ink, appearing to read 'Tamara Zottola', with a long horizontal flourish extending to the right.

508

November 7, 1997

Mr. Kim Tschantz
Mr. Ken Hart
Planning Department
County of Santa Cruz
701 Ocean St
Santa Cruz, CA 95060

re: Odwalla Project, Davenport

Dear Sirs:

This letter is in reference to my earlier letter of September 15 in which I raised several concerns regarding the Odwalla project in Davenport. Since then I have had an opportunity to meet with Mr. Fred Bailey and he was able to clarify many issues. Based on that meeting, I would like to amend my position in the following ways:

1) The size

While I still have some concerns about the size of the project and its impact on traffic patterns (more on this in point 3 below), it is clear that the remodeling of the Odwalla plant, by itself, will not make the problems of Davenport (e.g. **traffic**, congestion, trashing **of the** beach) significantly worse.

Also, Mr. Bailey informed me that the correct **figure** for additional parking spaces is 73, rather than 90.

2) The hedges

Mr. Bailey explained the reasons for the hedges (to protect his property **from** vandalism) and has assured me that the hedges will be pruned to a reasonable height. I withdraw this objection.

Also, I should make it clear that I have no direct knowledge of the circumstances causing a beach path to be closed. My information came **from** long term residents of Davenport. In any case, this issue has nothing to do with the current project, and I sincerely apologize for raising it.

3) Loss of public parking and access

It is clear from the detailed plans shown to me that public access to the beach and cliffs will not be lost.

However, I still have strong concerns about the planned parking and its relationship to the overall parking and beach access situation in Davenport. These concerns are summarized as follows:

a) The proposed additional parking will consume attractive open space. I know the County has requirements and formulas for computing parking requirements, but the Planning Department must also consider the needs and desires of the surrounding community. Davenport is a unique community, surrounded by valuable undeveloped open space. **Formal** requirements for parking spaces must not be allowed to arbitrarily consume our environment. I strongly urge you to consider a significant reduction in parking requirements.

b) The parking lot for the Odwalla plant must not be designed without considering the parking situation of the entire area along Hwy. 1. There are several questions that must be considered: What is planned for the parking lot to the north of the proposed Odwalla lot, and how will lowering the Odwalla lot impact that development? What impact will increased parking on the SW side of Hwy. 1 have on pedestrian and auto traffic in the area and how will it be controlled? How can the parking situation on the NE side of Hwy. 1 be improved? What responsibility do business owners on the NE side of Hwy. 1 have for the parking on the SW side and how should

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they be involved in its development? I realize these problems are not the responsibility of the Odwalla project, but I feel the planning department must address them in order to make better decisions regarding the project.

c) The additional parking is probably the portion of the project that has the most obvious, visual impact on the community. Does it have to be asphalt? Consideration should be given to other surfacing options that are more attractive and in keeping with the character of the community as well as more environmentally friendly.

I want to express my appreciation to Mr. Bailey for taking the time to **clarify** many issues regarding the project and I hope these comments are viewed constructively. I continue to be very interested in the project and will continue to follow it closely.

Sincerely,



David Perasso
34 Marine View Dr.
Davenport

ATTACHMENT 12

March 22, 1998

Santa Cruz County Planning Commission
701 Ocean Street
Santa Cruz, CA 95060

Attn: Kim Tschantz

To Whom It May Concern:

We are writing this letter to offer our endorsement and our whole-hearted support of the project proposed by Greg Steltenpohl and Fred Bailey for the property at the intersection of Highway 1 and Center Street in Davenport.

As long time residents of Santa Cruz County and of the north coast, our endorsement is based upon first hand knowledge of the property and of the owners. In addition, Peggy's position as one of the county's leading event planners gives her a unique perspective with regard to one of the proposed uses for this facility.

The owner/developers of this property are locals citizens who have a long and impressive reputation in our county, and their proposed facility demonstrates the same sensitivity to environmental, aesthetic, and economic concerns shown by these men in previous endeavors. Their proposed facility is a small scale project, but one which will be of enormous benefit to Davenport, the north coast, and to the county as a whole.

This environmentally coherent and unique facility provides for mixed use, and will serve the local community as well as visitors coming to our area. The project will bring diversity and activity to the commercial life of Davenport, and much needed improvements to the infrastructure on the west side of Highway 1. In particular, construction of a pedestrian stairway will mitigate the terrible condition of the trails which are now dangerously eroded, and will allow for greater ease and safe access to the beach. The visual impact will be minimal, and it is our opinion that this area of Davenport has long been in need of improvement: this project can only enhance the site.

The beauty of the north coast which attracts so many visitors to our area will be even more apparent, and more available to those who are drawn here, and this can only benefit the economic health of Davenport and our county as a whole. We hope you will look kindly upon this application, and we urge you to approve a plan which will be of tremendous value to our community, to our scenic resources and to the economic vitality of our area,

Sincerely,



Gary and Peggy Young
3965 Bonny Doon Road
Santa Cruz, CA 95060

511

March 20th, 1998

Santa Cruz County Planning Commission
701 Ocean Street
Santa Cruz, CA 95060

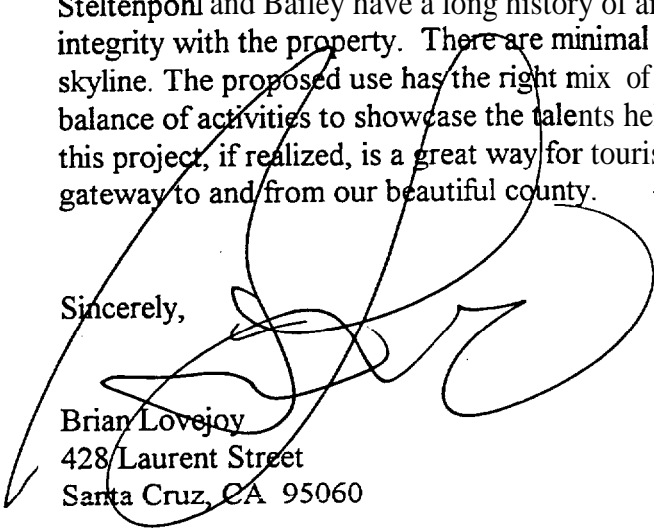
Attention: Kim Tschantz

To whom it may concern:

I **wish** to voice my support for the development project submitted by Greg Steltenpohl and Fred Bailey. I have reviewed the plans and spoken directly to the principals and believe that this project is a great example of appropriate scale development in Santa Cruz County.

Steltenpohl and Bailey have a long history of architectural aesthetics and environmental integrity with the property. There are minimal changes to the building footprint and skyline. The proposed use has the right mix of art, entertainment and wellness; the perfect balance of activities to showcase the talents held dear in our community. The vision of this project, if realized, is a great way for tourists and locals to enjoy the Northern gateway to and from our beautiful county.

Sincerely,



Brian Lovejoy
428 Laurent Street
Santa Cruz, CA 95060

Wednesday March 18, 1998

Kim Tschantz
Santa Cruz County Planning Commission
701 Ocean Street
Santa Cruz, CA 95060

Dear Commissioners,

I am writing this letter to you in regards to the proposed plans for upgrade and development of the property at 3500 Coast Highway 1 in Davenport, by the owners Fred Bailey and Greg Steltenpohl.

I have known and been close friends with Greg Steltenpohl for 31 years. Greg and his wife Bonnie Bassett, and myself formed a partnership in 1980 to start Odwalla Juice here in Santa Cruz. We have been friends and business partners for all of those 18 years. Because of Greg's background in Environmental Studies at Stanford University, one of the founding principles of Qdwalla was to do business with a high environmental awareness, and to support the community as much as possible. I can see this same desire and ideal within the vision and plans for further developing the Davenport property.

I have known Fred Bailey and his family for 16 years. We chose to move Odwalla onto the above mentioned property in 1983, because of Mr. Bailey's desire to always improve the property and building, so that it would be a better place to work, and a more beautiful place to look at. After having seen photographs of the property and building before the Bailey's took it over, I can say without reservation that their ownership has been a benefit for both those who live in the community, and for those who visit it.

It is my understanding that this will be a locally developed project, which will have multiple uses. My sense is that it's scale is appropriate to both the location and to it's proposed use, which will have minimal impact on the land and local community.

I see many benefits that will result from this. The Santa Cruz County and' the North Coast will have another facility for community events in a very beautiful setting. Both companies and private groups will have access to a facility which is environmentally pleasant. There will be support businesses on site such as an organic foods restaurant, hot tubs, and sauna. This facility will provide a place to use for the day on our beautiful North Coast, and allow another way to enjoy this environment. People who live locally in the Bonny Doon area and Davenport, will have access to massage, acupuncture and alternative medicine, without having to go into Santa Cruz.

After seeing the plans for upgrading and developing the property, and after having discussions with both Fred and Greg, I can lend my support to this project without any reservations. It is my hope that you as commissioners of Santa Cruz County, and others who live in this community, will have the same feelings after having understood their intentions for it's development.

Sincerely,

A handwritten signature in cursive script that reads "Gerry Percy". The signature is written in black ink and is positioned below the word "Sincerely,".

Gerry Percy
500 Quail Drive
Bonny Doon
Santa Cruz, CA 95060

Work Phone: (408) 471-1635
Home Phone: (408) 457-2779

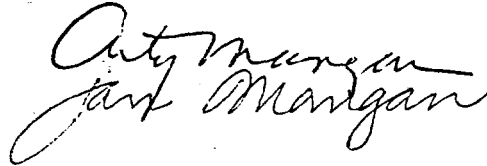
3/20/98

Santa **Cruz** Planning Department
701 Ocean St.
Santa **Cruz**, 95060

Dear Kim **Tschantz**,

We are writing in support of the usage plan for the Davenport property and facility, now leased and used **Odwalla Inc** . The plan for a Conference **wellness** center is an appropriate and beneficial use of that site. In a time when there is such a lack of cultural sensitivity in terms of development, Outlet malls popping up at every available location, I feel very strongly that the proposed plan will benefit the Davenport community and the greater community of Santa **Cruz** County in way that is unique and consistent with an area that has had a tradition of beneficial community innovation. We have been Santa **Cruz** county Residents for over 25 years and **local** business owners as well as having worked in the North Coast area. The North Coast is truly one of the treasures of the county and Northern California in terms of natural beauty. Sensitive community based development is difficult to find these days. I urge you not to allow the **opportunity** be lost.

Arty Mangan
Jan **Mangan**
12333 **Irwin** Way Boulder Creek Ca 95006
Fax # 338-1777

A handwritten signature in cursive script that reads "Arty Mangan" and "Jan Mangan" stacked vertically.

CC: **Marti** Wormhoudt
3rd District Supervisor

515

Jay and Marlene Leite
192 Las Colinas Drive
Corralitos, CA 95076

21 March 1998

Santa Cruz County Planning Commission
701 Ocean Street
Santa Cruz, CA 95060
ATTN: Kim Tschantz

Re: Proposed Davenport Development

Recently we read of a proposed development at the present site of the Odwalla Juice plant in Davenport. It is our understanding this development would provide multiple mixed use facilities, and convert the property from it's current manufacturing/warehouse status to a more visitor friendly office/conference complex. The article also mentioned that public access would be enhanced were this development to proceed.

We believe this project would be a benefit to the county. It would reduce the truck traffic now present at the location and make the facility available to a larger section of the population. We wholeheartedly support the project, and hope that you will also lend your support.

Sincerely,



Jay R. and Marlene C. Leite

March 18, 1998

Planning Commission,

I really enjoy the view from my Davenport home and walking along the cliffs every day.

I've been friends with Fred and Bren for 20 years and friends with Greg and Bonnie for 14 years and the deepest connection we have with each other is the respect and awe of the beauty of this Davenport coast.

For myself, I'm greedy enough to say, I wish the Mc Dougal's hadn't changed the focus of Davenport from a very small town, to a tourist town. But it's done. And why shouldn't other people experience the beauty of this place?

For 14 years, while working at Odwalla, I've been lucky enough to see this beauty from the comfort of Fred's building. It's incredible.

I think all people from Davenport should be able to experience this view, and that's what Fred and Greg propose to open up to the community. And I trust both of them to follow through on this promise and for that reason primarily, I welcome this project.



Carol (Tinker) Dominguez
41 Davenport Ave
P.O. Box 88
Davenport, Calif. 95017

March 15, 1998

Santa Cruz County Planning Commission
6701 Ocean St.
Santa Cruz, CA.95060

Dear Commission Members :

I would like to register my support of the project proposed by Fred Bailey and Greg Steltenpohl.

As a long time North Coast resident and property owner in the town of Davenport, I believe the community could greatly benefit from this 'local - generated' development.

I have observed the community intentions and demonstrated record of contribution by the owners to the Davenport and Santa Cruz communities, and I find it to be tops among Davenport business owners. I see no reason for them to change their commitments now.

Although change is difficult along the North Coast this is the type of development I see as a positive addition - please pass this worthy project!

sincerely,

Francis G. Cahoon

Francis G. Cahoon

ATTACHMENT 12

Lic. #555843

ATTACHMENT 12

William H. Gorman III
The Very Finest Home Furnishings, and Custom Woodworking
P.O. Box 180, Davenport, California 95017

MARCH 21, 1998.

COUNTY OF SANTA CRUZ
PLANNING COMMISSION
ATTN: KIM TSCHANTZ

RE: BAILEY BUILDING

DEAR SIR,

I AM A RESIDENT OF THE DAVENPORT AREA AND HAVE SEEN THE CHANGES (BOTH GOOD AND BAD) THAT HAVE OCCURRED ON THE NORTH COAST OVER THE LAST EIGHTEEN YEARS.

AS DEVELOPMENT HAS INCREASED THROUGHOUT THE COUNTY DAVENPORT HAS REMAINED RELATIVELY UNCHANGED. BECAUSE OF THE GENERAL LACK OF FACILITIES FOR TOURIST ON THE NORTH COAST OF SANTA CRUZ COUNTY (LIMITED HIGHWAY PARKING AND BEACH ACCESS) THE LOCAL RESIDENTS ARE LEFT WITH THE IMPRESSION THAT NOTHING WILL EVER CHANGE IN DAVENPORT.

519

Lic. "555843

William H. Gorman III

The Very Finest Home Furnishings, and Custom Woodworking
P.O. Box 180, Davenport, California 95017

RATHER THAN ASSUME A NEGATIVE POSTURE TOWARDS ANY CHANGE IN THE STATUS QUO I CONSIDER THE BAILEY PROPOSAL A CHANCE FOR COMMUNITY IMPROVEMENT.

THE KEY ELEMENTS TO MANAGED GROWTH

- 1.) EXISTING BUILDING
- 2.) UNDER UTILIZED LOT
- 3.) OWNER BUILDER
- 4.) MINIMAL ENVIRONMENTAL IMPACT

ALL THE INGREDIENTS FOR COMMUNITY IMPUT, CHARACTERIZING THE PROPOSED PARKING LOT AS A MEADOW (SANCTUARY) DOES NOT HOLD UP TO DEEDER SCRUTINY. HISTORICALLY THIS LOT HAS BEEN UNDER CULTIVATION, WHILE I AM NOT A BIG FAN OF ASPHALT, PARKING IS SORELY NEEDED IN DAVENPORT.

-520-

THE ZONNING AND USE PERMITTED SHOULD BE THE SAME ON BOTH SIDES OF HIGHWAY #1. ISSUING THE PERMIT DOES NOT

Lic. #555843

William H. Gorman III

The Very Finest Home Furnishings, and Custom Woodworking
P.O. Box 180, Davenport, California 95017

AS THE DESIGNATED USE IS CLEARLY
WRITTEN INTO THE PERMIT ITSELF.

THE PROPOSED IMPROVEMENTS STAND
TALL ON ITS OWN MERITS - TO BRING
PERSONALITIES PRO OR CON INTO THE DISCUSSION
SERVES ONLY TO POLARIZE THE COMMUNITY
- AND TO WHAT END?

THIS IS NOT AND SHOULD NOT BE VIEWED
AS A PROJECT THAT SIGNALS THE BEGINNING
OF THE END FOR DAVENPORT, RATHER A PROJECT
THAT REFLECTS THE DIVERSITY OF THE COMMUNITY
AND A PLANNED VISION FOR THE FUTURE
OF THE NORTH COAST OF SANTA CRUZ COUNTY



521

March 22, 1998

To whom it may concern:

I have lived on Davenport Ave. since 1970. Through the years I have seen Davenport change from a quiet little town - to a tourist town because of the zoning. Many business owners claim to be "for the town" but not only do they not live here they don't hire Davenport residents or care about how we as residents are affected by their business.

Fred Bailey on the other hand has always been concerned about the town and it's residents. In the 20 years that he has been here he's always been honest and compassionate. He's always hired Davenport residents and made sure we are not affected in a negative way by his business i.e. parking, traffic, garbage etc.

I hope you grant Fred building permits, because if he can't build he'll be forced to sell the property -

Then we'll have but another
business owner that doesn't care
about us as a community.

Please take us into account,
we have to live here.

Sincerely,

Dawn Overson
Gravin Kim

30 Davenport Ave.
(408) 426-8197

Att.

Kim Tschantz

ATTACHMENT 12

Bruce L. Erickson & Associates

528 Abrego Street, Suite 170, Monterey, CA 93940 - Voice Mail: 408-746-2121

Tel: 408-659-8134 - Fax: 408-3339040 - Email: BLErickson@aol.com

FAX LETTER

March 8, 1998

Kim Tschantz
Santa **Cruz** County **Planning** Commission
701 Ocean Street
Sanata Cruz, CA 95060

Subject: The former **Odawalla** headquarters **building in Davenport building owned**
by Greg **Steltenphol** and Fred Bailey

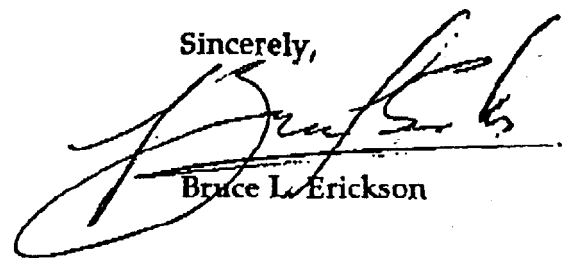
Dear Mr. Tschantz:

As a member **of the Board of Directors of the Monterey Bay Region Futures**
Network, I **know** this building and Greg Steltenpohl quite **well**. I have seen their
plan and recommend that **the planning** commission approve it as submitted.

The **old Odwalla** headquarters is something of a landmark **in** our region and
its situated with a beautiful view of the ocean. The idea of having a conference
center and natural foods resturant there **would** be ideal. Its also in keeping with the
spirit and intent **Odwalla** had when they were there. Its also a vistors entry point **to**
the Monterey Bay Region and it would be of great benefit to see a well planned
facility there **that** honors the environment of the region. This facility is very much
needed and there **is** little to **accomodate** visitors in this way on the coast.

Thanking you in advance for your consideration to this request.

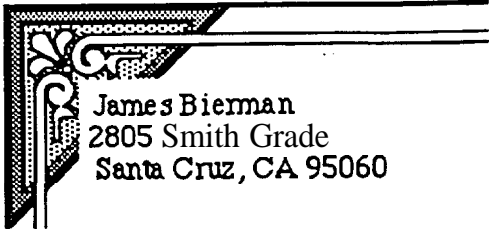
Sincerely,



Bruce L. Erickson

cc: Denise Holbert
Mardi Wormhoudt

524



James Bierman
2805 Smith Grade
Santa Cruz, CA 95060

ATTACHMENT 12

March 22, 1998

Mr. Kim Tschantz
Santa Cruz County Planning Commission
701 Ocean Street
Santa Cruz, CA 96050

Dear Mr. Tschantz:

Being unable to attend the hearing scheduled for this Wednesday, I would like to use **this** letter to express my **thoughts** in regard to the Odwalla facility that is proposed for construction in Davenport. I consider this a matter of personal interest because I live in the coastal hills above Davenport, and make it a point to hike from my house to Davenport once a week.

I feel that the facility, as proposed, will provide an enhancement to the area which us "locals" will be able to enjoy in several ways. On the most basic level, such things as a juice bar, wellness center and restaurant will supplement the very limited commercial options we have presently in Davenport in a way that is literally healthy. While guest rooms and a meeting center may be seen as focused on bringing outside visitors to the area, it should be remembered that these facilities will also attract local use.

The plan to offer public access to the beach at Davenport is a great enhancement. At present, the trail down to the beach is unattractive, perilous, and not maintained. The trail along the edge of the beach is perpetually littered with incidental refuse. Replacing this informal slice of human erosion with a well-designed set of steps and a trail will be a great improvement.

There has been a lot of discussion here about the parking lot which is planned to accompany the improved facility. I feel that the objection is based quite simply on an automatic response to putting anything on the ocean side of highway one - and thus impairing the view. In fact, the present site is an unkempt waste land which looks like the vacant lot in **Maxime Groky's Lower Depths**. It is singularly unattractive, and a parking lot with landscaping would be a vast improvement over the present beaten terrain.

In the same regard, raising the ridge line of the present building a few feet will have little effect on the present vistas. The buildings that have already been converted for Odwalla's use are tasteful, and make good use of the recycled industrial buildings they once were. I am certain we will be able to say the same for the new structure.

If the decision were left to me, I would give the Odwalla company a "go ahead" on this project. I hope the Planning Commission will do the same.

Cordially, .

James Bierman
JamesBier-man

cc. Supervisor Marti Wormhoudt

525

March 18, 1998

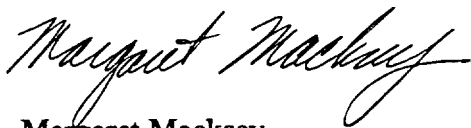
Rim Tschantz
Santa Cruz Planning Commission
701 Ocean Street
Santa **Cruz**, CA 95060

Dear Mr. Tschantz:

My family and I are frequent visitors to Davenport in Northern Santa Cruz County. We surf kayak, bike and hike in one of the most beautiful areas of the California coast between Wilder Ranch and **Ano** Nuevo and always enjoy a visit to the New Davenport Cash Store. Although we live in Live Oak, I would like to comment on the proposed plan for the **Odwalla** site on the North Coast.

I have often looked at the **Odwalla** property in Davenport as an eyesore. I am thankful that the high hedge hides most of the existing dilapidated building. As most of Davenport exudes charm this particular site seems run down and the trucks do not add to the landscape. I have been following the controversy in the newspaper which prompted my further investigation into the proposed restaurant conference center complex. It seems to me that the plans take advantage of the beautiful site and the project would actually enhance the area. This is not a Toy R Us or 7-1 1 under consideration but a tasteful building with a design that takes the natural setting into consideration. I think in the long view Davenport will be well served by this investment. Let's get rid of the juice trucks! I urge you and the Planning Commission to approve this project.

Sincerely,



Margaret Macksey
275 14th Avenue
Santa **Cruz**, CA 95062

cc: **Marti** Wormhought
Santa Cruz Supervisor

526

527

Kim Tschan tz
Santa Cruz Co. Planning Dept.
701 Ocean St.
Santa Cruz, CA. 95060

This letter is in support of the proposed Davenport Producers Building Project. I am a long-term **resident** of Santa Cruz County, and believe that Fred Bailey's project **will** be both an economic and aesthetic asset to Davenport. I support and recommend that you approve this project.

Barbara Freund
321 32nd Ave
Santa Cruz, Calif.

528

Kim Tschantz
Santa Cruz Co, Planning Dept.
701 Ocean St.
Santa Cruz, CA 35060

This letter is In support of the proposed Davenport Producers Building Project. I am a long-term resident of Santa Cruz County, and believe that Fred Bailey's project will be both an economic and aesthetic asset to Davenport. I support and recommend that you approve this project.

Carmela Kerezio

350 Don Avenue, Santa Cruz

ATTACHMENT 12

529

Kim Tschantz
Santa Cruz Co. Planning Dept.
701 Ocean St.
Santa Cruz, CA. 35060

This letter is in support of the proposed Davenport Producers Building Project. I am a long-term resident of Santa Cruz County, and believe that Fred Bailey's project will be both an economic and aesthetic asset to Davenport, I support and recommend that you approve this project.

Terri Levich
116 Grover Lane, Santa Cruz

530

Kim Tschantz
Santa Cruz Co. Planning Dept.
701 Ocean St.
Santa Cruz, CA. 35060

This letter is in support of the proposed Davenport Producers Building Project. I am a long-term resident of Santa Cruz County, and believe that Fred Bailey's project will be both an economic and aesthetic asset to Davenport. I support and recommend that you approve this project.

DIANA MERZGER
4155 JERANDA

Aptos, CALIF 95003

Kim Tschantz
Santa Cruz Co. Planning Dept.
701 Ocean St.
Santa Cruz, CA. 95060

This letter is in support of the proposed Davenport Producers Building Project. I am a **long-term** resident of Santa Cruz County, and believe that Fred Bailey's project will be both an economic and aesthetic **asset** to Davenport. I support and recommend that you approve this project.

Robert J. [Signature] 3/20/98

1503 Seabright Ave
Santa Cruz, Ca. 95062

3-18-98

Kim Tschantz
Santa Cruz Co. Planning Dept.
701 Ocean St.
Santa Cruz, CA. 95060

This letter is in support of the proposed Davenport Producers Building Project. I am a long-term resident of Santa Cruz County, and believe that Fred Bailey's project will be both an economic and aesthetic asset to Davenport. I support and recommend that you approve this project;

Rich Straus

603 Poplar Ave
Santa Cruz CA 95062

532

3/19/98

Kim Tschantz
Santa Cruz co. Planning Dept.
701 Ocean St.
Santa Cruz, CA. 95060

This letter is in support of the proposed Davenport Producers Building Project. I am a long-term resident of Santa Cruz County, and believe that Fred Bailey's project will be both an economic and aesthetic asset to Davenport I support and recommend that you approve this project.

Stephanie Straws
603 Poplar Avenue
Santa Cruz CA
95062

533

March 17, 1998

Kim Tschantz
Santa Cruz Co. Planning Dept.
701 ocean St.
Santa Cruz, CA. 95060

This letter is in support of the proposed Davenport Producers Building Project. I am a long-term resident of Santa Cruz County, and have known the Bailey family for many years. The Bailey's have always shown the highest standard of care and aesthetic towards their own property, and the town of Davenport. Their proposed project will benefit the entire community while maintaining the unique "north coast" image and lifestyle.

There is always resistance and fear to change, but this project should not be judged by personal agendas.

Carole Thornton
1503 SEABRIGHT AVE.
SANTA CRUZ, CA. 95062

534

3-19-98

Kim Tschantz
Santa Cruz Co. Planning Dept.
701 Ocean St.
Santa Cruz, CA 95060

This letter is in support of the proposed Davenport Producers Building Project. I am a long-term resident of Santa Cruz County, and believe that Fred Bailey's project will be both an economic and aesthetic asset to Davenport. I support and recommend that you approve this project.

Suslyn Ebert
142 Hagemann Ave.
Santa Cruz, CA 95062

535

3-19-98

Kim Tschantz
Santa Cruz Co. Planning Dept.
701 ocean St.
Santa Cruz, CA. 95060

This letter is in support of the proposed Davenport Producers Building Project. I am a long-term resident of Santa Cruz County, and believe that Fred Bailey's project will be both an economic and aesthetic asset to Davenport. I support and recommend that you approve this project.

Jean E. Kranick
208 Muradous Rd.
Scotts Valley, CA 95066

536

Kim Tschank
Santa Cruz Co. Planning Dept. /
701 ocean St.
Santa Cruz, CA. 95060

This letter is in support of the proposed Davenport Producers Building Project. I am a **long-term** resident of Santa Cruz County, and believe that Fred Bailey's project will be both an economic and aesthetic asset to Davenport. I support and recommend that you approve this project

Norothy H. Eddy
523 Habaver St
Santa Cruz, Calif.
3-21-98

Kim Tschantz
Santa Cruz Co. Planning Dept.
701 Ocean St.
Santa Cruz, CA. 95060

This letter is in support of the proposed Davenport Producers Building Project. I am a long-term resident of Santa Cruz County, and believe that Fred Bailey's project will be both an economic and aesthetic asset to Davenport. I support and recommend that you approve this project.

Barbara Eady
1421 Laurent St Santa Cruz CA

March 17, 1998

Kim Tschantz
Santa Cruz Co. Planning Dept.
701 ocean St.
Santa Cruz, CA. 95060

This letter is in support of the proposed Davenport Producers Building Project. I am a long-term resident of Santa Cruz County, and have known the Bailey family for many years. The Bailey's have always shown the highest standard of care and aesthetic towards their own property, and the town of Davenport. Their proposed project will benefit the entire community while maintaining the unique "north coast" image and lifestyle.

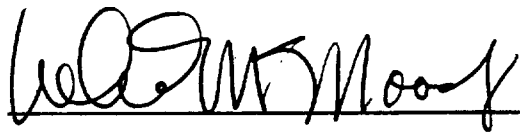
-There is always resistance and fear to change, but this project should not be judged by personal agendas.

Suzanne Caddy
1421 Laurent ST.
Santa Cruz, Ca. 95060

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Kim Tschantz
Santa Cm Co. Planning Dept.
701 Ocean St.
Santa Cruz, CA. 95060

This letter is in support of the proposed Davenport Producers Building Project. I am a long-term resident of Santa Cruz County, and believe that Fred Bailey's project will be both an economic and aesthetic asset to Davenport. I support and recommend that you approve this project.



W.M. MOODY
220 CHILVERTON ST.
SANTA CRUZ, CA
95062

3-18-98

Attn: Kim Tschantny; March 23rd, 1998
 Re: Fred Bailey; Davenport:

Dear Kim,

As a contractor and business owner in Santa Cruz County I have known Fred Bailey for 18 years on both a professional and personal level. I have reviewed, and discussed his proposals for his Davenport property. I visit Davenport frequently and in my opinion his proposal will improve and enhance the town. I am aware that some people oppose his plans. I suggest that all one needs to do is walk around Mr. Bailey's property and see the pristine condition he maintains his greenery and landscape. They could tell how much he cares about his property and the town and would never propose anything that would affect Davenport in a negative way. In all my dealings with Fred Bailey I have found him to be a real stand up guy and one of the most honest people I know, and one of Davenport's best assets.

Sincerely

Dan Kelly

Dan Kelly - owner.
 Doc & Son's Plastering
 Ben Leland, Ca. 541
 408-226-9442

JODY EDSALL
131 HUGUS AVE.
Santa Cruz, CA 95062

17 March 1998

Santa Cruz County Planning Commission

Dear Commissioners;

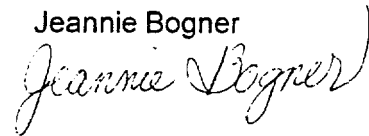
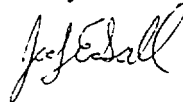
This letter is regarding the upcoming March 25 meeting concerning the Bailey property in Davenport. We have known the Bailey family for ten years. This is an honorable family that has always tried to do right with their community and neighbors. One look at the property, as it exists now, should give you a glimpse into the quality and care Fred maintains with his property and projects. This dilapidated packing shed is now a horticultural paradise. The architectural designs for his restaurant can only enhance the natural beauty of the existing property.

As Santa Cruz natives, we fully endorse this project which benefits all and harms none. Please let a hard working family fulfill the American dream and approve this project.

With respect

Jody Edsall &

Jeannie Bogner



Mardi Wormhoudt
Board of Supervisors
701 Ocean Street
Santa Cruz, CA 95060

September 1, 1997

ATTACHMENT 12

Dear Ms. Wormhoudt,

Being homeowners in the City of Davenport, we strenuously object to the proposed development of the Odwalla property in Davenport. This development would in our opinion detrimentally affect the character and nature of our town. It would in our opinion turn our beach, our beach access, and our open views over to private hands.

Our town of Davenport has a population of about 200 residents. The proposed parking lot for 90 cars is the equivalent of a parking lot for 20,000 cars in the City of Santa Cruz or for 400,000 cars in the city of San Jose. The proposed building size to accommodate conservatively 40 visitors and workers would be the equivalent of a building size to accommodate 10,000 people in the city of Santa Cruz or 200,000 people in the city of San Jose. We think these cities would also object to such a proposal.

The homeowners of Davenport are already paying an exorbitant tax for water and sewage that should not be used to pay for someone else's profits which by the way is already happening.

Lastly the proposed site should be preserved for future park land west of Highway 1. This is the only private property between Highway 1 and the ocean west of Old Town.

Copy: Ken Hart, County Planning Department, Thank You.

Sincerely,

Signalories

To: Mardi Wormhoudt

Being homeowners & residents of Davenport for 58 yrs we do not agree with the above letter being passed out door to door in Davenport. We overlook the proposed project and we are looking forward to seeing it come to life. The plans for the project are beautiful and we feel it would be a great asset. We overlook other businesses that we wished were as attractive.

Most of the objections to the project have been from people who already own several businesses in Davenport & contribute to the exorbitant tax for water and sewage while making their profits. Thank you,

Paul & Donna Thompson

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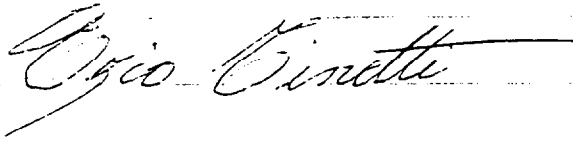
ATTACHMENT 12

MARCH 24TH 1998

PLANNING COMMISSION
COUNTY OF SANTA CRUZ
701 OCEAN STREET
SANTA CRUZ CA. 95060

IT IS GOOD TO HAVE MORE BUSINESS
IN DAVENPORT. I LOOK FORWARD TO SEEING
FRED BAILEY HELP THE COMMUNITY IN THE
FUTURE JUST AS HE HAS DONE IN THE PAST.

I FEEL THAT MR. BAILEY IS A GOOD MAN
WITH GOOD INTENTIONS.



EZIO TINETTI
DAVENPORT RESIDENT

March 24, 1998

To whom it may concern, this letter is in support of the old packing shed project that Mr. Fred Bailey and family have planned.

The proposed project doesn't have anything that we as long time residents of Havenport can see as negative for the town.

It looks as though it will actually bring in much needed revenue for the community, benefiting our small elem. school.

It looks to be a very good project

Sincerely
Sal Celebrado
Trinidad Celebrado

March 1998

ATTACHMENT 12

To: Santa **Crux** County Planning Commission

From: Frank Wylie, 1900 Smith Grade, Santa **Crux**, CA 95060

Subject:H-4 95-0685, 3500 Coast Highway 1, Davenport **APN(s): 058-121-04**

I find it reprehensible that Santa **Crux** county which holds itself as an environmentally concerned advocate proposes to mar the **coastline** at Davenport. The coastline from Half Moon Bay to Moss Landing is one of our greatest assets and nowhere is it marred by a commercial structure (except farm buildings). The one exception is the abandoned Odwalla building, a tall, unsightly corrugated metal building that blocks one's view of the ocean. It blocks the view at one of the most attractive bluffs on the coast, and area where the whales come close and whale watching is popular.

The quaint village of Davenport is home to about 250 people. It already has a variety of different restaurants and three places which **serve** alcohol. There is also a small grocery and a post office and a B and B. The addition of any large project would seriously, and negatively, change the character of the village. Currently, all commercial structures and the post office are located on the "land" not the ocean side of Highway **1**. Additionally and **importantly**, as a larger business **is** added, it would cause a greater **traffic** hazard Davenport is located on a hill and it is very **difficult** to see the **traffic** in both directions because of this hill. As a result, there is a serious traffic problem which has resulted in a least one fatal accident. The addition of a major **restaurant-inn-micro-juicery(micro** brewery at the first **hearing**), etc. would further exacerbate the **traffic** problems.

This proposed development is a site **left** over from the railroad **from** which the land was purchased. (Most will recall it as the onetime home of Odwalla which brought business and jobs to Davenport and then whisked them away.) The current warehouse building is situated directly on the property line, and it is proposed that they be allowed to **keep** the building there and expand **it(almost** doubling the size by converting it to a two story structure and raising the roof line further. If they are granted that very basic exception, building on the property line, is it possible that a lot of other people in Santa Crux County will want to claim similar exceptions ? Also, those denied the same special privilege may wish to claim why the County's rules are "different for some people."

The experience of Odwalla should teach us that times change, and enterprises change hands, and things change. Although we are assured that Odwalla has nothing to do with this project, one of the partners is the president of **Odwalla**.

The notice of public hearing states that the request is also to excavate **1,3 50** cubic yards of dirt from this wonderful, scenic **bluff** overlooking the sea. That's a lot of **dirt(about** 4,406 large wheelbarrows full) and as we know, many excavations grow in the process. The purpose: to place a large parking lot and thus creating a larger **traffic** problem as traffic would then enter(going both north and south) from both sides of Highway 1.

Why do we want to destroy a great **natural bluff** in favor of a parking lot ? Why do we want to add a new big, mixed purpose building which has been describes as a lodging for visitors, a caretaker's residence, a restaurant, **micro-juicery** offices and retail uses. Doesn't that essentially give them license to conduct almost any business there in the future ?

Why indeed do you propose to destroy a **bluff** and enlarge and heighten an ugly corrugated building to obstruct the public's **view.of** the Pacific.

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How can the County of Santa **Cruz** propose to so destroy one of the loveliest sections of our coastline and replace it with a crass, unattractive commercial beach front ? That would be a **travesty** of great dimension, especially for an area which takes pride in its protection of the coastline.

P.S. Would the Commission consider a suggestion? At the hearing in Davenport, the planning person entered and sat **and** talked with the owners of the **Odwalla** site. That perception may not contribute directly to the concept of impartiality that the Commission seeks. .

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Att: Santa Cruz County Planning Dept.
From: Kristen Raugust
454 Swanton Road, Davenport, Calif., 95017
RE: Greg Steltenpohl for Fred Bailey
March 22, 1998

Dear Planning Dept , and to whom it may concern,

As a long time resident of Davenport, I am outraged and concerned that you have declared the proposed project by Fred Bailey and Greg Steltenpohl, as a negative environmental impact to the North Santa Cruz County coast /

During this crucial period, I seriously recommend that you re-evaluate your decision in good conscience.

Please take into account that even though the size of the project is not nearly as big, as say the proposed Coast Land and Dairy proposal, it would impact the North County in just as big a way.

I have listed below my reasons that an Environmental Impact Report should and must be done, to maintain the integrity of the North Coast and to insure further protection of the Monterey Bay Sanctuary. I am in complete contradiction to the assessment of your planner, Kim Tschantz. I think he did a incompetent job and his actions and motivations should be looked at. This project is too big and important not to have more people involved.

A) View shed. I dispute the contention that there is a minimum impact on the view shed area in the north end of town. In fact there is much more view shed blockage than the two residential and one commercial area than you have insinuated. In fact many more residential and business properties will lose there views. This must seriously be looked at again with more modeling done to know exactly what view interruption will take place.

As I speak, this very moment, there are people from all over the country and all over the world, stopping to sit in the beautiful meadow and watch the fabulous whale migration. If the building rise and the parking lot are to be allowed, the public would not have this accessibility. They would not have the oportunity to stop and walk or sit and enjoy the extrodinary rare view.

B) Sewer and water. The sewer and-water situation is already maxed out. The system already needs to be enlarged and improved. Who will burden the cost and maintain it? This is another area that

really needs more study and planning. This is very important because if and when failure occurs the brunt of it ends up in the Monterey Bay Sanctuary.

C) Parking and traffic. Again, another monumental problem for Davenport already. With the current traffic flow and speed limit, disaster is **already waiting** to happen. There needs to be a very thorough and comprehensive study done. I don't feel that enough of attention to this problem has been done. There are no turn lanes or any indication that the speed **limit** is to be lowered soon. This is not a minimal problem but a maximum one.

D) Biotic and biological. Here, there are more plants and animals that will have their lives and habitats destroyed than meets the eye. We must take a longer and harder look at this. The meadow is an integral part of this cycle. Not only that but people have enjoyed the biotic beauty of the meadow for scores of years.

E) Beach access. Now this is a big issue. I highly disagree with you that there will be minimal impact in this area. In fact there will be an gigantic impact. Not only will the parking lot being on the meadow create a physical barrier, it will create a physiological and emotional one also. Then with the proposed plantings and the fences people will feel intimidated to even go down to the ocean. There is not enough access to Davenport beach as it is.

F) Soil. With the parking lot being built, the soil in the meadow will be destroyed and lost forever. We mustn't let this happen. It could disrupt the drainage and flow of water in the north end of town. Erosion is a potential hazard here. I don't feel there has been adequate evaluation of the soils at the south end of the property also. What about the old underground gasoline tank? Was there a permit issued for removal? Was there any leakage into the soils in which water drains down into San Vincente Creek which in turn runs into the Monterey Bay Sanctuary? Was the soil tested? These are questions in which I don't think were adequately answered in the short period of time spent on the soil problem.

G) This project would be growth inducing and have an accumulative impact on the area.

H) **Re-zoning** of the proposed project site to SU is very rare. It would be extremely inappropriate for a small community such as Davenport.

So in closing, I want to strongly encourage you to change your mind and request that an Environmental Impact Report be done in it's entirety. It must be done thoroughly and thoughtfully because the welfare of this unique and pristine area is at stake. For current and future generations.

Sincerely,,
Kristen Raugust

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Bruce A. McDougal
PO Box J
Davenport CA 95017
March 24, 1998

Planning Commission
County of Santa Cruz
701 Ocean Street
Santa Cruz CA 95060

Members of the Commission:

I have serious concerns about the Bailey/Steltenpohl proposal for the old packers warehouse in Davenport. I raised some of these in my letter to Planning in response to the Negative Declaration (see attachment 12M of the Revised Environmental Review) but I do not feel they were addressed in the **staff's** revision or in the Staff Report to the Commission. They include, but are not limited to, the following points.

1. The destruction of the existing meadow and historic whale watching and scenic **viewshed** to build a parking lot on the ocean side of highway 1, in the very center of what has been declared a Special Community, clearly is contrary to the intent and purpose of the Coastal Act. The proposed lot has been "sited and designed to minimize impacts as much as possible", but this is not enough. The meadow is a part of the view, and the only way to save the meadow, and the character of the Davenport community's historic ocean vista is to deny, or dramatically reduce, the scale and scope of the project.

2. This area has always been open and accessible, and used by the public for parking, enjoying the ocean vista, and beach access. The Davenport Beach is designated for Primary Public Access, and any development calls for public automobile parking (GP 7.7.14-7.7.16) The proposal to close the area to public parking, and limit pedestrian access to two paths to the beach, denies to the public the right to park and pass which has been acquired prescriptively by long public use. I do not understand why this is not addressed in the **staff** report. This right must be preserved, even if this application is denied. The suggestion that the adjoining property can and will be used by the public is not the point. The staffreport (P.26 c.) refers to possible future development, and if the public is excluded from the present propoal, it will establish a precedent. There may also be an effort to close access to this area too, because of **traffic** concerns. The obligation to the public goes with the property, and cannot simply be ignored.

3. The project is too large to be assimilated into a tiny coastal community without forever altering its character. The General Plan specifies (8.8.4: Davenport Character) "Require new development in Davenport to be consistent with the height, bulk, scale, materials, and setbacks of existing development: generally small scale, one to two story structures of wood construction". This building is already the largest building in town, and doubling that is inconsistent with the above conditions.

4. The proposed uses are not directed at serving the immediate community, as required; and a change in zoning as requested to allow almost any use invites an even greater removal from any community connection. The owners do not reside in the community, and their only business there is the building itself, and its potential for rent or sale.

5. The impacts on the water and sewer are to be "mitigated" by the applicant paying for improvements to the water and sewer systems. This needs a lot of explanation. We have always been told by Public Works that these systems were designed to allow the full **buildout** of all vacant properties in the community. It is likely the warehouse was never included in this calculation, and so it is fair that they are a special case. But if this proposal puts such a strain on the systems that they need to be expanded to accomodate it, what will be the case when those of us who have been promised **buildout** go to build?

At this point there happens to be a deal cooking with RMC **Lonestar** to expand the water system to accomodate them (but nobody else) that can be stretched to include the warehouse, for a price. But what happens then? Do we in fact have the reserve capacity to accomodate future buildout, or don't we? And **if** we don't, isn't now the time to expand while the system is being refitted?

Meanwhile, the sewers and pump station in **oldtown** (the central core of Davenport) are awaiting grant money to replace them. There will be no expansion of the existing sewers; **and** after the grants, there will be a \$35,000 local share to be absorbed by the district. The applicants are being asked to pay connection fees for system upgrades; but is this simply absorbing the district share of the cost, without expansion? Again, where does that leave us re: capacity and future buildout?

I hope your actions on this proposal will reflect the love and concern for our precious coast for which Santa Cruz County is famous.

Sincerely,



Bruce A. McDougal

March 23, 1998

To: Planning Commission
County Building
701 Ocean Avenue
Santa Cruz, 95060, Ca

From: Marcia McDougal
Box J
Davenport, Calif 95017

Re: **Steltenpohl**/ Baily project
Odwalla Building
Davenport California

There is a BIG controversy in the SMALL town of Davenport. There is a proposal for a big change. This change is about something much larger than the little town of Davenport. It is about commitment to the California Coastal Plan, the whole coast of California. The proposed project violates the purpose of the Coastal Plan, which states clearly its purpose to keep the coastal corridor from development on the coast side of the highway. Further, we have not only the coastal act to conform to, but the Monterey Bay Marine Sanctuary to protect. This is our legacy to pass on to future generations. This coast belongs to the whole globe, to anyone who drives down it. It renews the human spirit to look out to sea. It's not for a few to take away for personal gain. Instead it demands stewardship.

The town of Davenport is small, and the proposed project is too large. It would drastically change the character of the town. Enlarging the Odwalla building and taking out the meadow and replacing it with cars and asphalt; and then importing growth to 'cover up' this insult to the environment is excessive and insensitive. The peregrine falcon lives in the meadow. There are always people found in its grassy field, taking in its beauty. It is the only place in Davenport that allows this kind of grace. Each season this meadow has been the focus point for watching whales as they pass closest to this shore entering the bigger Monterey Bay. This proposal excludes the public in exchange for private, commercial use. Since World War II, this grassy meadow has always been open to the public for walking and parking at the top. For decades the Whale Watching sign proudly stood at the top of the meadow **acknowledging** the grey whale

migration, part of the history and symbol of the town. It mysteriously got knocked down shortly after the property was bought by **Baily/Steltenpohl**. The sign was never replaced.

The project wants to change the zoning from C- 1, General Plan Designation: Neighborhood Commercial which includes community use, to SU multiple use. An intrinsic threat here is that if the zoning change is granted, the SU makes the real estate more attractive for future sale. It would also have a large impact on Davenport. It is not appropriate.

Historically the community has been excluded from this property. Pre-Steltenpohl, when the property changed hands from the packing building to Bailey, the path to the beach was blocked from the community for over a year. (see enclosed note from the planning dept. 1976) A path was not recreated until a threat from the community of a grand jury proceedings was acted upon by the county (see enclosed petition from 1976). After this a hedge was planted to hide a fence, which was erected without a permit. This hedge now is over 25 feet **tall**, blocking the ocean views from Highway one and a large portion of Davenport Avenue. This does not reflect an attitude of concern for the community.

Those supporting the project appreciate the Baileys excellent aesthetic taste, as do my husband and I who were instrumental in their purchase of the packing shed property for just that reason. But -this is not the issue.

We have businesses in Davenport and know that more commercial development brings more commercial traffic, therefore more business for everyone. However, we would trade that for the very quality of life that attracted us to this small town thirty years ago. It is rare to find a coastal village with the character of Davenport. It's place on the coast is idealic. It needs protecting. Please don't take it's heart and soul away.

Marcia McSorgol

INTER-OFFICE CORRESPONDENCE

date: April 28, 1976
to: Mike Miller, Coastal Commission
from: Ed Bielski, Planning *EB*
subject: Fred Bailey

An inspection of the Bailey site on Friday, April 23rd revealed that fences have been constructed with gates along the rear and front of the site. A sign has been posted which reads "No Beach Access".

Please inform me of the Coastal Commission hearing for Bailey.

EB:ld

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Petition to Coastal Commission to request that the matter of access to Davenport Beach be clarified for local use of same access to the beach along south side of present walk as it has been in use for over 100 years. If Attorney General investigation is necessary, we hereby request it.

May 12, 1976

WILSON COUNTY			
1	Frank J. ...	Box 201	Davenport, Calif
2	Frank J. ...	Box 201	Davenport, Calif
3	Frank J. ...	125 ...	Davenport, Calif
4	Frank J. ...	125 ...	Davenport, Calif
5	Frank J. ...	Box 201	Davenport, Calif
6	Frank J. ...	Box 201	Davenport, Calif
7	Frank J. ...	Box 201	Davenport, Calif
8	Frank J. ...	Box 201	Davenport, Calif
9	Frank J. ...	Box 201	Davenport, Calif
10	Frank J. ...	Box 201	Davenport, Calif
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43	Frank J. ...	Box 201	Davenport, Calif
44	Frank J. ...	Box 201	Davenport, Calif
45	Frank J. ...	Box 201	Davenport, Calif
46	Frank J. ...	Box 201	Davenport, Calif
47	Frank J. ...	Box 201	Davenport, Calif

8	JOHN HENRY CURTIN	P.O. BOX 36 DAVENPORT, CALIFORNIA - 95017	
7	JOSIE A. CURTIN	P.O. BOX 36 DAVENPORT Calif 95017	
2	Alfred Laurici	PO Box 107 Davenport Calif 95017	
	Gina Laurici	PO Box 107 Davenport Calif 95017	1
2	James Laurici	PO Box 107 Davenport Calif 95017	2
	James Laurici	PO Box 143 Davenport Calif 95017	3
	James Laurici	Davenport Denny, Va.	4
	Richard Smith	PO Box 18 Davenport 95017	5
	Dee Smith	" "	6
	Raymond J. Perry	PO Box 82 Davenport Calif	7
	Barbara Perry	" "	8
	Pedro Amor	Box 158	9
	Joe Perry	Box 112 DAVENPORT	10
	Julius Perini	Box 196 Davenport	11
	Rosetta Pirani	" "	12
	Maria di Jesus	Box 174 Davenport	13
	Angela P. Di Gesù	Box 174 Davenport Calif	14
	David de Jesus	Box 174 Davenport Calif	15
	Paula Nella Santona	Box 163 Davenport	16
	D. Della Santona	Box 163 Davenport	
	Bruno Santoni	Box 45 Davenport	
	James Paderna	Box 55 Davenport	19
	James Gibert	Box 34 Davenport	20
	Principal Celestino	Box 34 Davenport Calif	21
	Donald J. Sutton	Box 34 Davenport Calif	22
	Richard M. Hosel	Box 128 Davenport Calif	23
	Rafael A. Meng	Box 27 Davenport Calif	24
	Conrad W. Albert	Box 34 Davenport Calif	25
	Frank Olimpia Family	Box 36 Davenport Calif	26
	Steven Snyberg	Box 51 Davenport Calif	27
	James Snyberg	Box 51 Davenport Calif	28
	Frank Garaventa	Hwy 101 Davenport	29
	Rebecca Dardenti	Admiral Davenport Calif	30
	John Agnew	Box 83 Davenport	31
	James S. Walker	Box 115 Davenport Calif	32
	Shelley Book	Box 31 Davenport Calif	33
	David Bose	Box 187 Davenport Calif	
	Kathryn Phillips	Box 103 Davenport, Calif	
	Mary Walker	Box 196 Davenport Calif	36
		557	37

338 Swanton Road
Davenport, Ca. 95017
March 24, 1998

Planning Commission
County of Santa Cruz
701 Ocean Street
Santa Cruz, California 95060

RE: Odwalla **Proposal** APN: 58-121-04

It has long been my impression that California, and Santa Cruz in particular, has made a commitment to the protection of our coastline and its fragile resources. The thoughtful acquisition of the magnificent Coast Dairies properties and the designation of the Monterey Bay as a National Marine Sanctuary must then stand in stark contrast to the rubber-stamping of a project of this scale and intent that can do nothing but degrade the delicate environment that surrounds it.

The spectacular bluffs and beaches of the North Coast have long been the jewel of our County's coastline and the enjoyment of magnificent ocean views from Highway One and Davenport has shaped the character of this small community for generations. This **viewshed** is a birthright that has been free and available to everyone and the thought that my child will enjoy this experience only from across a parking lot full of sport utility vehicles and luxury sedans or from the windows of yet another day spa or conference center is profoundly saddening. The development fees that would accrue to the local school district from this project would surely seem a sort of blood money, paid in exchange for something infinitely more precious and valuable to our children-- THEIR right to enjoy what WE have always enjoyed.

The **viewshed** IS a precious resource--equally as valuable and worthy of preservation as a natural reserve or a forest of old-growth redwoods. The fact that an EIR was not even required for this project is an outrageous rebuff to the North Coast environment and the resources it contains.

The rural character and charm of Davenport cannot be recreated a' la Main Street Disneyland once it is destroyed. The proposed project is truly a wolf in sheep's clothing, masquerading as opportunity for our community, while covering up the inescapable fact that it will reward its developers far more richly than anyone

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else. It seems that neither of the applicants wishes to make a real contribution to Davenport, as neither of them chooses to reside there, Perhaps they don't wish to drive home through traffic that is increased by "only" 306 vehicle trips per day.

The General Plan has established the zoning parameters for the purpose of bringing developers into compliance, not the reverse. The notion that this project has been carried along with the knowledge that it IS NOT and HAS NEVER BEEN in compliance, leads one to assume that its developers have had reason to believe that a re-zoning was a fait accompli. Surely, it cannot be true that the body that should by rights be protecting our North Coast is, in fact, betraying it?

The original zoning of Neighborhood/Commercial was designed to meet the needs of local communities and there is no reason to assume that this need is now different. The serving of tourists, however revenue-enhancing this may be, must not take precedence over the welfare of Davenport and its citizens.

You have heard from many North Coast residents about the certain impact of this project on their neighborhood and the inability of such a small community to absorb the effects of a development of this scale. You are obligated to consider this impact most seriously. The arbitrary rezoning of this rare ocean-side parcel to allow a project of this scale is a frightening omen of a future where our only tangible experience of the natural world is paved with asphalt and littered with empty paper cups.

I must urge you, as guardians of our most valued and irreplaceable resources, to reconsider the hasty approval of this project, and to ask yourselves how you will feel when you next drive up the North Coast to stroll on its beaches or watch whales migrating from its bluffs. Will you be proud to share with your children and grandchildren your role in the preservation of Santa Cruz County's coastline, or will you be ashamed to admit your complicity in allowing the beginning of the end--not only of our pristine coastal environment, but also of a small town, the quintessential small town, and its way of life.

Sincerely,



Claudia Weaver

559

STATEMENT TO PLANNING COMMISSION 25/03/98

I am a resident of Davenport.

1) The site, in both a local and a wider context, has to be the pre-established frame in which this proposal is viewed. The articulation of a General Plan for the Monterey Bay region is predicated precisely on this assumption. The Plan, to the best of my knowledge, is clear on the importance, to the region as a whole of keeping to a minimum any development north of Western drive. To this end, acceptable development should be within previously established Residential and Neighbourhood Commercial (C- 1) guidelines. This will maintain the viability of existing communities. The importance of this General Plan derives, more widely, from the northern continuity of the open coast, from the San Mateo border and as far as the developmental disaster of Half Moon Bay. In my experience, this stretch of Highway One is genuinely unique for its combination of scenic splendour and accessibility. It is an extraordinary privilege to have such an inspiring and at the same practical and everyday route between Santa Cruz and San Francisco. Ideally, there should be no development whatsoever on the ocean side of Highway One between Santa Cruz and and Half Moon Bay.

2) The constitutional nature of the General Plan means that it should remain flexible under substantial and long-term evolution of circumstances. There is such an evolution, the Coast Dairy and Land acquisition. Its effect is to increase enormously the importance of the Davenport area as a coastal zone, unspoilt as it is accessible. The wishes of a particular developer are not an appropriate basis on which to modify the articulation of a General Plan in this way.

3) At the most local level, Davenport is a very diverse and lively community for its size. It has, indeed, a very precious status as a "**neighbourhood**". This small size means that any commercial development should be on the same scale, and should serve this community primarily and directly. It is precisely the town and its community, in their own, present identity, that best serve the quality of this coastal area.

4) The proposed development, in its present form, is inimical to all these concerns. It will not serve this community in any significant way, in either pleasure or commerce. In fact, it is described by its proposers as providing a "gateway" to the Monterey Bay area. Davenport needs a "gate" like a hole in its collective head; such a role would entirely destroy its integrity as an independent community. The Bay already has several "gates":

This approach, unfortunately, seems to be consistent with a remarkable laxity across the board, in relation, for example, to the requisite standards for an EIR, for a traffic report, for a seismic report, for a geological report.

7) Davenport needs a vision and a plan articulated by its own residents, as framed by an up-to-date General Plan and with access to expert resources. The developers are not such a resource; nor, judging by the results, are their consultants, nor, apparently, is the Planning Department. Their project may indeed have its autonomous merits, such as in its architectural and commercial visions, but these must not confuse or supplant/ the interests of the community, the interests that we have come here to represent.

It has been extraordinarily difficult even to articulate these interests within the highly abbreviated, even conflicting time table imposed on us; and I therefore request not only the extremely careful consideration of the Planning Commission, but also a continuance of this meeting.

John Hay

March 24, 1990

To whom it may concern, this letter is in support of the old packing shed project that Mr. Fred Bailey and family have planed.

The purposed project doesnt have anything that we as long time residents of Davenport can see as negative for the town.

It looks as though it will actually bring in much needed revenue for the community, benefiting our small elem. school.

It looks to be a very good project

Sincerely
Sal Celebrato
Printed A. Celebrato

ATTACHMENT 12

MARCH 24TH 1998

PLANNING COMMISSION
COUNTY OF SANTA CRUZ
701 OCEAN STREET
SANTA CRUZ CA. 95060

IT IS GOOD TO HAVE MORE BUSINESS
IN DAVENPORT. I LOOK FORWARD TO SEEING
FRED BAILEY HELP THE COMMUNITY IN THE
FUTURE JUST AS HE HAS DONE IN THE PAST.

I FEEL THAT MR. BAILEY IS A GOOD MAN
WITH GOOD INTENTIONS.

Ezio Tinetti

EZIO TINETTI
DAVENPORT RESIDENT

RICHARD TERDIMAN
542 CHENERY STREET
SAN FRANCISCO 94131
(415) 587-5402

MARCH 25, 1998

To: Planning Commission of Santa Cruz Count\.

Re: Davenport Odwalla Development Project

Dear Commissioners:

I am employed in Santa Cruz County (as a member of the UC Santa Cruz faculty), although I reside in San Francisco. When in the Santa Cruz area I live with a friend in Davenport.

I am writing to express my strong opposition to the proposed zoning changes in connection with the development project for the area now occupied by the Odwalla Corporation's packing shed. I believe that this development project will be strongly detrimental to the quality of life in Davenport, and that it will severely impact the extraordinary natural beauty of the coastal area in Davenport village. I think it would be a terrible mistake for the Count\, to allow this development in Davenport.

The multi-use facility proposed will require a zoning change for "special use" that I strongly urge you *not* to approve. The proposed facility will change the entire character of the bayside coastal area in Davenport. The increase in parking spaces, the two story structure and associated constructions that are proposed by the developers will affect three-quarters of the bayside area of Davenport village. It will dominate the village and entirely change the current rural and peaceful character of one of Santa Cruz County's most beautiful locations. The increase in traffic and in transients will severely impact the quality of life in Davenport. This is the wrong place for a facility of the kind proposed. I hope you will agree that the wonderful character of Davenport should be preserved, and vote to oppose the special use zoning.

I thank you for your attention to my opinion concerning this project.

Sincerely,

(Professor) Richard Terdiman

564

Attn: Kim Tschantny; March 23rd, 1998
Re: Fred Bailey; Davenport:

Dear Kim,

As a contractor and business owner in Santa Cruz County I have known Fred Bailey for 18 years on both a professional and personal level. I have reviewed, and discussed his proposals for his Davenport property. I visit Davenport frequently and in my opinion his proposal will improve and enhance the town. I am aware that some people oppose his plans. I suggest that all one needs to do is walk around Mr. Bailey's property and see the pristine condition he maintains his greenery and landscape. They could tell how much he cares about his property and the town and would never propose anything that would affect Davenport in a negative way. In all my dealings with Fred Bailey I have found him to be a real stand up guy and one of the most honest people I know, and one of Davenport's best assets.

Sincerely

Dan Kelly

Dan Kelly - owner,
Doc & Son's Plastering
Ben Lomond, Ca. SKS
408-226-9442

ATTACHMENT 12

June Reuben
P.O. Box 267
Davenport, Ca 95017
March 23, 1998

To Whom It May Concern.

As a resident of Davenport, I am writing to express my concern about the proposed changes to the Odwalla facility on Highway 1 in Davenport. I feel it is important that any business coming into Davenport be a nonpolluting, small scale venture. I think this is important in order to maintain Davenport as a community centered small town. I am particularly concerned about increased traffic, parking, and partying at night in front of my house.

Sincerely,



June Reuben

564

JODY EDSALL
131 HUGUS AVE.
Santa Cruz, CA 95062

17 March 1998

Santa Cruz County Planning Commission

Dear Commissioners;

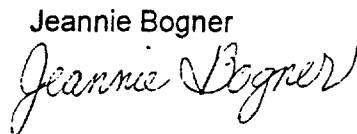
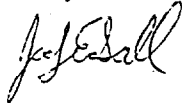
This letter is regarding the upcoming March 25 meeting concerning the Bailey property in Davenport. We have known the Bailey family for ten years. This is an honorable family that has always tried to do right with their community and neighbors. One look at the property, as it exists now, should give you a glimpse into the quality and *caré* Fred maintains with his property and projects. This dilapidated packing shed is *now* a horticultural paradise. The architectural designs for his restaurant can only enhance the natural beauty of the existing property.

As Santa Cruz natives, we fully endorse this project which benefits all and harms none. Please let a hard working family fulfill the American dream and approve this project.

With respect

Jody Edsall &

Jeannie Bogner




ATTACHMENT 12

June Reuben
P.O. Box 267
Davenport, Ca 95017
March 23, 1998

To Whom It May Concern.

As a resident of Davenport, I am writing to express my concern about the proposed changes to the Odwalla facility on Highway 1 in Davenport. I feel it is important that any business coming into Davenport be a nonpolluting, small scale venture. I think this is important in order to maintain Davenport as a community centered small town. I am particularly concerned about increased traffic, parking, and partying at night in front of my house.

Sincerely,


June Reuben

568

Santa Cruz County Planning Commission
701 Ocean Street
Santa Cruz, Ca.

Attention: Kim Tschantz

In respect to the proposed building changes for the current Odwalla building at 3500 Pacific Coast Highway in Davenport, Ca. I would like to recommend the acceptance of the proposal of Fred Bailey and Greg Steltenpohl. As the Operation Manager of Odwalla at the Davenport facility for the past 4 years it has been a major part of my position to interact with the owners of the facility and I have been thoroughly impressed with the attitude demonstrated by them in regards to both the community of Davenport as a whole and the Odwalla building and grounds specifically. The future use of the site as presented last year at the town meeting in Davenport is in my opinion quite far sighted and both economically and environmentally sound.

In addition to creating a facility which will be beneficial to the community of Davenport, the proposed uses will make this outstanding site even more open and available to the public.

As a resident of Santa Cruz County for 25 years it has been my experience that there has not always been a good balance between the commercial and open space development of our land. There is already a commercial facility on the Bailey/Steltenpohl site and what is being proposed is a positive, insightful continuation of the relationship between humans and the coastal environment.

Respectfully,



Ron Kennedy
195 Chipmunk Hollow
Boulder Creek, Ca.

SANTA CRUZ SENTINEL
1993

Sept. 21

They're coveting our land

Once again, property owners are discovering the county is planning public trails through private lands, and is "extorting" easements as conditions imposed on permit applications.

We call this extortion.

Everyone who is concerned about property rights and privacy should attend the Board of Supervisors meeting on Tuesday when the Draft Trail Master Plan will be discussed.

Bruce and Marcia McDougal
Davenport

Sept. 20

570

P.O. Box 252
 Davenport, CA
 95017
 March 25, 1998

RE: Statement to Planning Commission:

To whom does the Santa **Cruz** County Planning Department owe a duty? To the developers of a parcel? Or to the community? Surely the Planning Department owes its primary duty to the community and the County. But in this case the County Planning Department has seemed to present a done-deal to the community without adequate attention paid to community concerns such as parking, traffic and the destruction of the town's viewshed. Neighbors have expressed to **me** their feeling of hopelessness in the face of this project. And why shouldn't they feel this way--for County Planning seems prepared to grant the developers special exceptions in order to do this. Why?--Why is County Planning willing to grant a variance and a rezoning in order to allow the project to go forward; why **has** County Planning decided that an EIR in specific relation to this project is not necessary?

I have already written to you about the necessity for an EIR. Here I want to comment on the zoning change request. I would also like to request that the Planning Commission postpone their final decision until neighbors have had a chance to respond to the staff report in writing.

1) Variance: The developers have requested and County Planning recommends granting an area variance, due to the existing packing shed not being set back far enough. The relief requested is the relaxation of the setback requirements to 0 feet for the reconstruction of 25 lineal feet of the building. Has County Planning really looked carefully at the traffic consequences of such a variance? Isn't there already a hazard in that the proposed facility abuts a busy highway? The existence of the new facility with an attendant increase in vehicular and foot traffic will exacerbate **already**-existing pedestrian and traffic problems. County Planning argues that allowing the variance will preclude the necessity of a building extension, which would result in further obstructions of ocean views. However, has County Planning thought of just limiting the project's size--why would an extension even be necessary? A variance is allowed when it is based on "unnecessary hardship" to the landowner. I do not think it is an "unnecessary hardship" to limit the size of a project in accordance with the legal setbacks. "Mere hardship" is not enough.

2) Special Use permit: The requested zoning change from Neighborhood Commercial to Special Use in and of itself is suspect. Special Use is defined as involving situations requiring particular attention and special treatment due to the neighborhood ramifications of the special use. The implicit condition for granting such a zoning is that the relief granted must neither ravish the general plan for the neighborhood nor amount to such preferential treatment as to constitute spot zoning. Spot zoning, by definition, is invalid because it amounts to an arbitrary, capricious and unreasonable treatment of a limited area within a district.

In this case, the requested relief does conflict with the General Plan **a nd** it amounts to the preferential treatment of spot zoning.

1) It is unreasonable and capricious for County Planning to **find** that the criteria of the General Plan were met for granting Special Use zoning. The General Plan designates the parcel in question "Neighborhood Commercial." County Planning itself notes, "this designation allows small scale [sic] commercial businesses to meet the needs of individual urban neighborhoods and rural communities and visitors to those areas." (See p. 8 of Staff Report.) The current zoning of "Neighborhood Commercial" is already very flexible--this zoning primarily promotes services for the benefit of the neighborhood and surrounding rural area, but at the same time and at the same scale can serve visitors. As such, the "Neighborhood Commercial" zoning is quite desirable for our small town. In contrast, the Special Use zoning would allow units that were primarily visitor-serving. Such a use would not serve the community, nor would it aid in maintaining the integrity of our neighborhood. County Planning suggests that the proposed multi-use facility would "contribute to established centers of community activity and commerce." However, our neighborhood already has a place for meetings, **nor** do we need offices. The Neighborhood Commercial zoning fits the community's needs; a SU mixed zoning does not.

2) A granting of a Special Use zoning would be spot zoning because the County Planner is fitting the zoning to the project instead of the project to the zoning. This is preferential treatment for the developers and thus is invalid.

The Model Land Development Code allows special development permits based upon a finding of compatibility with surrounding areas and with developments already permitted under the general provisions of the ordinance. The Bailey project, as it stands, is not compatible with the surrounding area. It is important that we preserve the integrity of the neighborhood, and a project of this size will do the opposite. I am not opposed to Mr. Bailey exercising his right to develop his parcel--however, the development should be of a size that **contributes** to the character of the community, not overwhelms the community. Mr. Bailey should not be allowed special exceptions to the general plan in order to overbuild the parcel.

What Davenport needs is a town plan; we need to coordinate **all** of the development in our town--not just grant it on an ad hoc basis. We care about our town.

"Don't it always seem to go,
That you don't know what you've got 'til it's gone,
They paved paradise and put up a parking lot."
--Joni Mitchell, "Big Yellow Taxi"

Thank you.

Susan Young

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Whale City Trusting

Att: Santa Cruz County Planning Dept.
From: Kristen Raugust
454 Swanton Road, Davenport, Calif., 95017
RE: Greg Steltenpohl for Fred Bailey
March 22, 1998

Dear Planning Dept , and to whom it may concern,

As a long time resident of Davenport, I am outraged and concerned that you have declared the proposed project by Fred Bailey and Greg Steltenpohl, as a negative environmental impact to the North Santa Cruz County coast.

During this crucial period, I seriously recommend that you re-evaluate your decision in good conscience.

Please take into account that even though the size of the project is not nearly as big, as say the proposed Coast Land and Dairy proposal, it would impact the North County in just as big a way.

I have listed below my reasons that an Environmental Impact Report should and must be done, to maintain the integrity of the North Coast and to insure further protection of the Monterey Bay Sanctuary. I am in complete contradiction to the assessment of your planner, Kim Tschantz. I think he did a incompetent job and his actions and motivations should be looked at. This project is too big and important not to have more people involved.

A) View shed. I dispute the contention that there is a minimum impact on the view shed area in the north end of town. In fact there is much more view shed blockage than the two residential and one commercial area than you have insinuated. In fact many more residential and business properties will lose there views. This must seriously be looked at again with more modeling done to know exactly what view interruption will take place.

As I speak, this very moment, there are people from all over the country and all over the world, stopping to sit in the beautiful meadow and watch the fabulous whale migration. If the building rise and the parking lot are to be allowed, the public would not have this accessibility. They would not have the opportunity to stop and walk or sit and enjoy the extrodinary rare view.

B) Sewer and water. The sewer and water situation is already maxed out. The system already needs to be enlarged and improved. Who will burden the cost and maintain it? This is another area that

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really needs more study and planning. This is very important because if and when failure occurs the brunt of it ends up in the Monterey Bay Sanctuary.

C) Parking and traffic. Again, another monumental problem for Davenport already. With the current traffic flow and speed limit, disaster is already waiting to happen. There needs to be a very thorough and comprehensive study done. I don't feel that enough of attention to this problem has been done. There are no turn lanes or any indication that the speed limit is to be lowered soon. This is not a minimal problem but a maximum one.

D) Biotic and biological. Here, there are more plants and animals that will have their lives and habitats destroyed than meets the eye. We must take a longer and harder look at this. The meadow is an integral part of this cycle. Not only that but people have enjoyed the biotic beauty of the meadow for scores of years.

E) Beach access. Now this is a big issue. I highly disagree with you that there will be minimal impact in this area. In fact there will be an gigantic impact. Not only will the parking lot being on the meadow create a physical barrier, it will create a physiological and emotional one also. Then with the proposed plantings and the fences people will feel intimidated to even go down to the ocean. There is not enough access to Davenport beach as it is.

F) Soil. With the parking lot being built, the soil in the meadow will be destroyed and lost forever. We mustn't let this happen. It could 'disrupt the drainage and flow of water in the north end of town. Erosion is a potential hazard here. I don't feel there has been adequate evaluation of the soil; at the south end of the property also. What about the old underground gasoline tank? Was there a permit issued for removal? Was there any leakage into the soils in which water drains down into San Vicente Creek which in turn runs into the Monterey Bay Sanctuary? Was the soil tested? These are questions in which I don't think were adequately answered in the short period of time spent on the soil problem.

G) This project would be growth inducing and have an accumulative impact on the area.

I-I) Re-zoning of the proposed project site to SU is very rare. It would be extremely inappropriate for a small community such as Davenport

So in closing, I want to strongly encourage you to change your mind and request that an Environmental Impact Report be done in it's entirety. It must be done thoroughly and thoughtfully because the welfare of this unique and pristine area is at stake. For current and future generations.

Sincerely,
Kristen Raugust

575

Steve DellaMora
Steve DellaMora Farms
574 Westdale Drive
Santa Cruz, CA 95060
(408) 425-8737 home
(408) 4X-0385 Ranch

March 19, 1998

Attn: Kim Tschantz, City Sr. Planner
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

Reference:: Davenport Commercial Project

Dear Kim:

I have just learned of an upcoming meeting regarding this project. It is scheduled for March 25th at 1:30pm. I am a Fanner and cannot attend however I would like to share my opinion with you.

I am a 3rd generation family in Santa Cruz. I have farmed **brussel** sprouts for 30+ years as did my father, and grandfather before me. I currently farm approximately 2-3 miles south of Davenport and in the 70's and 80's I farmed an area on **Swanton** Road. I have lived in the North coast for 30 years and have seen a lot of changes in Davenport. It seems that other business establishments have been allowed to change and grow. I don't understand why anyone would want to deter this project from getting off the ground. If managed well and with all people concerned working together, I believe this proposed development will contribute tremendously to our town.

I believe the general consensus of the faners up and down the north coast is 'Go for it'. If the county can allow a goat **farm** in a so called agriculturally zoned area. **Why** can't the county approve a business that is trying to restore and preserve history and build an establishment that will make Davenport a nicer place to visit, shop and eat.

Respectfully,


Steve DellaMora
Steve DellaMora Farms