



# COUNTY OF SANTA CRUZ

---

## PLANNING DEPARTMENT

701 OCEAN STREET, 4<sup>TH</sup> FLOOR, SANTA CRUZ, CA 95060  
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

**KATHLEEN MOLLOY, PLANNING DIRECTOR**

June 20, 2019

Christina Locke  
8041 Soquel Drive  
Aptos, CA 95003

Dear Ms. Locke,

Thank you for your May 23 and June 13, 2019 correspondence expressing your concerns regarding landscaping requirements between your property and the adjacent property owned by Pete Testorff, as well as other concerns. Your letter dated June 13 addressed to the Historic Resources Commission will be provided to the Commission as public correspondence for the 7/1/2019 regular HRC meeting.

Regarding your concerns, the County's role is limited to ensuring that the applicant has complied with the approved permits and with the conditions of approval for any permits that are issued. The conditions of approval for the demolition of the Aptos Firehouse (HA1084) require that a landscape buffer be installed between the new building at the Testorff property and the Bayview Hotel. The Commission reviewed the initial landscape plan as required. The conditions of approval do not require that the HRC approve the landscape plan.

Although the condition of approval does not require that a fence be installed, the county allows a fence to be installed on a property and does not require approval for a fence meeting the height requirements. The County does not require that the fence be approved by the adjacent property owner.

Mr. Testorff has submitted a revised list of landscape plants and has installed these plants. The County has accepted these revisions to the landscaping as complying with the condition of approval, and no further action is required by Mr. Testorff regarding the landscaping.

I encourage you to continuing work with Mr. Testorff regarding other concerns you may have.

Sincerely,

*Annie Murphy*

Annie Murphy, Planner IV  
Sustainability and Special Projects  
Staff to the Historic Resources Commission  
(831) 454-3111



8041 Soquel Drive

Aptos, CA 95003

June 13, 2019

County Historic Resources Commission

c/o Ms. Annie Murphy, Planner

Santa Cruz County Planning Department

4<sup>th</sup> Floor

701 Ocean Street

Santa Cruz, CA 95060

Dear County Historic Resources Commissioners,

I am the owner of the Bayview Hotel in the Aptos Village. I am writing to ask your help in protecting the historic integrity of the Bayview Hotel, which is listed on the National Historic Registry.

The Aptos Village Project Conditions of Approval included a requirement for landscaping between Building #14 and the Bayview Hotel to buffer the aesthetic impacts of the modern two-story structure that is virtually on the property line shared with the historic Hotel. Your Commission reviewed and approved those landscape plans in April, 2016.

However, that is not what has been installed. Instead, a modern wooden fence was constructed, without my permission or approval, along the full length of the shared property boundaries with both Pete Testorff and Swenson Builders. Crews entered my property without any advance notice, destroyed historic plantings and fencing, damaged the irrigation system such that it is no longer functional,

and constructed the modern wooden fence that is not even of uniform height or aesthetic quality along the entire shared perimeter boundary.

I wrote Ms. Murphy on May 23, 2019, asking for a meeting to attempt to resolve these issues and ask for her help in enforcing the requirements associated with the Final Approval of the Project. I also provided copies of the letter to Pete Testorff and Swenson Builders. To date, I have not received any response from Ms. Murphy or Swenson Builders. Pete Testorff verbally told me he would respond, and did plant shrubs along the fence adjacent to Building #14, but has not completed the landscaping your Commission approved as required as Project Conditions of Approval.

Please place this matter on your next Commission agenda for public discussion. I am willing to work cooperatively with the Aptos Village Project developers, however, I feel that the historic aesthetic integrity of the Bayview Hotel is at risk.

Thank you very much.

Sincerely,

A handwritten signature in black ink, appearing to read 'Cristina Locke', with a long horizontal flourish extending to the right.

Cristina Locke,

Bayview Hotel Owner

8041 Soquel Drive

Aptos, CA 95003

May 23, 2019

Ms. Annie Murphy, Planner  
Santa Cruz County Planning Department  
4<sup>th</sup> Floor  
701 Ocean Street  
Santa Cruz, CA 95060

Dear Ms. Murphy,

It has been brought to my attention that you are reviewing the Conditions of Approval for the new Building #14 of the Aptos Village Project that is adjacent to the Bayview Hotel. The landscaping that was to have been done as a mitigation for the modern two-story structure being built so close to the historic Bayview Hotel, which is on the National Historic Registry, was reviewed by the County Historic Resources Commission on April 14, 2016 and was to have buffered the aesthetic impacts of the modern construction so close to the property line shared with the Bayview Hotel. This landscaping did not occur. Instead, the Aptos Village LLC developers installed a modern wooden fence that may or may not be located correctly on the property line in accordance with a recently-recorded survey.

I have been contacted by Pete Testorff, a partner in the Aptos Village LLC and the owner of Building #14 regarding the fence that he constructed. I am respectfully requesting a meeting with you and the Aptos Village LLC developers involved in this issue to negotiate a solution to the problem that will be positive for all involved.

Having discussed the matter with Pete Testoff and Mr. Jessie Bristow, I propose that the Santa Cruz County Planning Department allow the new wooden fencing to remain but conditional upon the following conditions:

- 1) The Aptos Village LLC developers pay for Bridgette Land Surveying to verify the new wooden fence is on the correct property boundary line, according to the recent survey Bridgette Land Surveying did and recorded with the County of Santa Cruz.
- 2) IF THE FENCE IS NOT IN THE CORRECT LOCATION, APTOS VILLAGE LLC MUST RELOCATE IT TO THE CORRECT PROPERTY LINE LOCATION.
- 3) IF IT IS DETERMINED THAT THE FENCE IS IN THE CORRECT PROPERTY LINE LOCATION, I would consider negotiation to allow it to remain, despite it not meeting the Project Conditions of Approval, provided that:

- a) The fence line bordering APN 041-011-42 be planted with established 15-gallon Camellia japonica bushes, planted on six-foot center the length of the shared parcel to the historic Bayview Hotel wrought iron gate;
- b) The irrigation system for this area that was destroyed in the process of the modern wooden fence installation be repaired to a fully-functioning state or replaced with all-new materials;
- c) The historic Bayview Hotel wrought iron gate be professionally adjusted in width to accommodate the verified property line location and to continue to serve as a significant element for my property security;
- d) The new wooden fencing must be made of uniform height and design the entire area of Bayview Hotel boundaries that are shared with all Aptos Village LLC developers to match the fence along APN 041-011-42, with exception of the lower wooden fence height near Trout Gulch Road for line-of-site visibility safety;
- e) The historic roses, vines and tree branches that Aptos Village LLC crews cut and left on my property when the new wooden fence was installed must be removed, salvaging the historic wrought iron fence intertwined;
- f) The historic wrought iron fencing must be restored and secured to the new wooden fencing and the irrigation system that was destroyed must be repaired or re-established with new materials to be fully-functional;
- g) The fence line bordering all other areas of the Aptos Village Project be planted with Acer japonicum trees established in 24" box size, every 25 feet on center with established 15-gallon Camellia japonica bushes on center between the trees; and
- h) The pavement that was destroyed along the northern property line must be professionally repaired (I have previously submitted a bid to Swenson Builders for this work from EarthWorks Paving for \$12,000).

I feel these requests are reasonable and would improve the aesthetic beauty of the area for both the Bayview Hotel and the Aptos Village Project tenants while addressing real security issues.

Ms. Murphy, I request that the Santa Cruz County Planning Department make no decisions regarding this matter without first consulting me, as the owner of the Bayview Hotel property, with all notification sent to me in writing. Again, I am asking that you, as Planner overseeing historic preservation issues in general and associated Project Conditions of Approval mitigations, please conduct a meeting of all property owners involved so that we may arrive at a positive solution that is equitable and feasible for all involved. Thank you.

Sincerely,



Cristina Locke, Bayview Hotel owner

C: Aptos Village LLC , Mr. Jessie Bristow

Pete Testorff